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EDITED BY
CLARENCE WALWORTH ALVORD
UNIVERSITY OF ILLINOIS

VOLUME XV



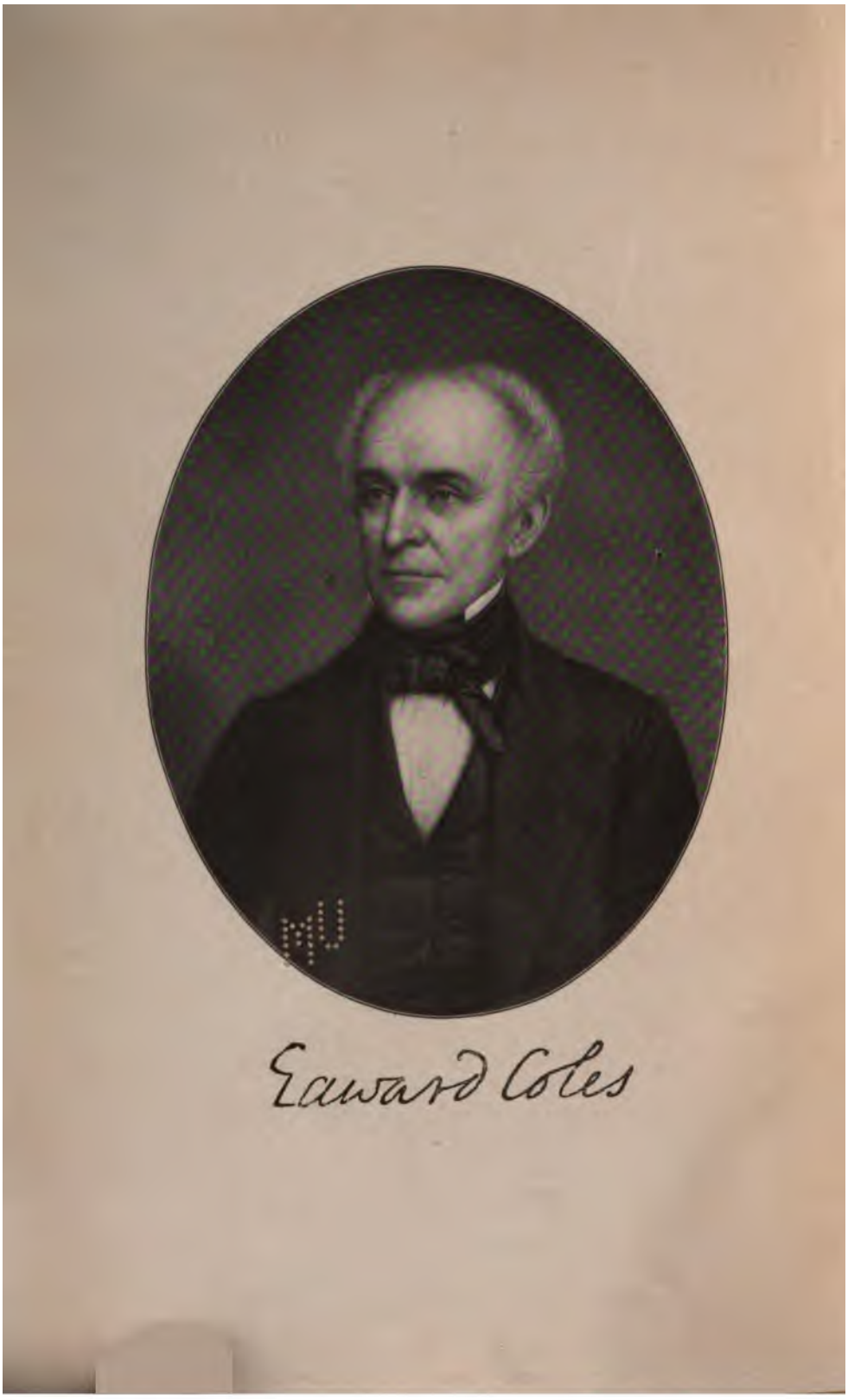
BIOGRAPHICAL SERIES

VOLUME I

GOVERNOR EDWARD COLES

PUBLISHED IN CELEBRATION OF THE CENTENARY OF ILLINOIS

UM



Edward Coles



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VOLUME XV

BIOGRAPHICAL SERIES, VOLUME I

GOVERNOR EDWARD COLES

EDITED WITH INTRODUCTION AND NOTES BY
CLARENCE WALWORTH ALVORD
UNIVERSITY OF ILLINOIS

PUBLISHED BY THE TRUSTEES OF THE
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SPRINGFIELD, ILLINOIS
1920



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PREFACE

Several forces have united in bringing this volume into being. Its inception was due to Mr. John A. Bingham of Vandalia, whose enthusiastic interest in the life of the most notable of the early governors of Illinois led him to Madison County, where in the circuit clerk's office were preserved the legal documents in a suit brought for political reasons against Coles by his opponents in the slavery struggle of 1823-1824. Mr. Bingham, feeling that the centennial year was a fitting occasion to pay merited honor to the man responsible for preserving Illinois as a free state, proposed as a memorial the publication of the documents and the reprinting of Washburne's *Sketch of Edward Coles*. For this project he secured the support of Governor Lowden, and it was suggested that the Centennial Commission undertake it. This proved to be impossible. Finally the Illinois State Historical Society consented to furnish the money provided the Illinois State Historical Library would permit the volume to be included in the *Collections*. Such is the history of this book.

When the editing of the volume was placed in my hands it seemed advisable that the search for new material upon Governor Coles should be extended. The results of this further search have been on the whole rather rich and are presented in the later pages of the volume. They will be described more fully in this preface.

The first and longest document here published is the well known *Sketch of Edward Coles* by Elihu B. Wash-

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burne, which was prepared for the Chicago Historical Society and published under its auspices. The trustees of the Illinois State Historical Library desire me to express their appreciation for the courtesy of the Chicago Historical Society in permitting this reprint.

The author of this sketch was born in Livermore, Maine, on September 16, 1816, and belonged to a family that won distinction by the services of five brothers to their respective states and the Union. Four served their country in Congress as representatives from different states; one was a senator; two became governors, and one served for seven years in the diplomatic service. These five Washburne brothers were in public service an aggregate of eighty-eight years.

Elihu Washburne's education was to a large extent in the school of experience. His first job was on a newspaper. After that he attended law school at Cambridge and in 1840 came west and settled in Galena, Illinois, where he soon gained recognition in politics. He served in Congress from 1852-1869, and during the presidency of Abraham Lincoln was regarded as his spokesman. He early became a friend and admirer of General Grant and did all in his power to further his interests. It was not surprising that in 1869 he was appointed Secretary of State, a position he almost immediately resigned to become minister to France. During the Franco-Prussian war he rendered service which gained the respect of both the French and the Germans, although on his first appearance he was not regarded as eminently fitted for a diplomatic career. At the close of his service in France in 1877, he settled in Chicago. There was talk of his candidacy

for the presidency in 1880, and he actually was placed in nomination for the vice-presidency. He died on October 27, 1887.

Gustave Koerner, who knew Mr. Washburne very well, says in his *Memoirs* that he "had been a most efficient member of Congress for five or six years, and had rendered most valuable service in guarding the Treasury against rings, jobs and corrupt lobbies, by which vigilance he had acquired the soubriquet of the 'Watch-Dog of the Treasury.' He was thoroughly honest, and an exalted Union man."[1]

There follows the *Sketch of Edward Coles* by Washburne, the group of documents from the Circuit Court of Madison County, furnished by Mr. Bingham. These are limited to the lawsuit brought against Governor Coles for his failure to give bonds at the time of the manumission of his slaves. The suit was a purely political one, instituted only after the lapse of several years and by a person who could not possibly have been affected by the case. It was based, furthermore, on a law which although passed, had not been promulgated at the time of Coles' alleged violation of it. The verdict of the Circuit Court was against Governor Coles, and a two thousand dollar fine was imposed.[2] Upon appeal the case was heard before the Supreme Court of the state and the judgment of the lower court reversed.[3]

The next five documents concern the period during which Coles was register of the land office at Edwardsville. The longest of these is a report of land claims

[1] *Memoirs of Gustave Koerner*, 2: 408.
[2] See *post*, *208*.
[3] The judgment of the Supreme Court is printed *post*, *213-221*.

at Peoria; it is purely local in its interest. The position of register naturally brought Coles into close connection with the organized agricultural interests in the state. A letter from him to Henry S. Dodge, secretary of the State Agricultural Society, describing his methods of breaking the prairie land is perhaps the best of this group.

Two of his governor's messages form the more important part of the group covering the years 1823-1826. It is interesting to note the insistence upon an abolition of the last remnant of slavery or involuntary servitude. Several projects for state development are advanced. The more noteworthy of these touch upon the opening of new waterways, the careful choice of seminary lands, and a digest of the state laws.

In a series of letters written to his agent in Illinois after his removal to Philadelphia, Coles shows himself as a man of business. These letters are purely personal in nature, but they are valuable for the insight they give into the financial interests which he succeeded in developing in spite of a life filled with official duties. All these letters may be found in the library of the Chicago Historical Society and were probably collected by Mr. Washburne during the preparation of his paper on Mr. Coles.

On the whole, historians will find the next eleven documents most valuable. The first ten of these are taken from the Chicago *Free West*, for the year 1854-1855, and represent a spirited controversy concerning the character and political career of Governor Coles. The writers, Hooper Warren, George Churchill (who contributed only one letter), and John M. Peck, were all participants in the convention struggle. They all

knew Edward Coles through close personal association, an association which made Warren strongly antagonistic and Peck a most loyal admirer. Although united in their opposition to the extension of slavery in the state, Warren's personal bitterness towards Coles prevented any real union of forces in the struggle, and obliged Coles to face a most complex situation. The controversy carried on through these ten letters arose as the result of a review of Governor Ford's *History of Illinois*, written by Hooper Warren and appearing in the *Free West* for December 21, 1854. Warren's criticism of the treatment of the convention struggle in Ford's volume drew a reply from Peck, and the two were promptly involved in an argumentative correspondence through the *Free West*. Both men had been actively connected with the political developments of 1823–1824, and in this controversy the interplay of forces is disclosed without reserve.

The last letter does not belong to this series. It was written by Edward Coles some twenty years after his removal to Philadelphia, in response to a request from the Chicago Historical Society for his memories of Morris Birkbeck. Through their long friendship and mutual interests, both in political affairs and in the development of improved agricultural methods, Coles was well qualified for the task, and the resulting memoir gives an excellent picture of the Englishman who played so important a part in the development of agriculture in early Illinois.

As the last document there has been included the *History of the Ordinance of 1787* prepared by Mr. Coles in 1856 for the Pennsylvania Historical Society. It is as Mr. Coles himself says a mere sketch, but because

of his familiarity with the later history of the territory, and his keen interest in the slavery measures of the ordinance, it deserves some notice. There are included also several miscellaneous documents, some of which are of no great importance in themselves, but which do assist in the formation of a complete picture.

In order to preserve clearly the identity of the original *Sketch of Edward Coles* and prevent any confusion with regard to footnotes, those appearing in the original edition are indicated by asterisks, those added by the editor, by numerals.

In closing it is a pleasure to me to express my obligation to Mrs. Jessie Palmer Weber of the Illinois State Historical Library for her aid in the collection of material for this volume, and to Miss Caroline McIlvaine of the Chicago Historical Society, who has performed a similar service in the search for material in the collections of that society. In the performance of the work of editing I have had the assistance of Miss Nellie C. Armstrong of my staff, to whose care and enthusiasm the result is in large part due.

CLARENCE WALWORTH ALVORD

URBANA, ILLINOIS
April 14, 1920

Illinois and Illinois men filled an important, if not the leading role in the struggle over slavery and in the war which resulted in its overthrow. Governor Edward Coles opened the battle for freedom in Illinois. It is almost certain that if it had not been for his persistence and courage, slavery would have been written into the Illinois Constitution. The story of his struggle against the forces of slavery is one of the most inspiring in the annals of Illinois. If he had failed and Illinois had become a slave state, one wonders what the subsequent history of Illinois would have been. It is not likely that the great debate between Lincoln and Douglas would have occurred. It was this debate which made Lincoln president of the United States. Indeed, with Illinois a slave state, it is altogether possible that the Confederacy might have won. And thus the battle which Edward Coles, in the new and sparsely settled state, waged against the forces of slavery, becomes an event of historical importance of the first class It is therefore fitting that, as a part of our celebration of our hundredth anniversary as a state, we should gratefully call attention anew to the life and services of Edward Coles.

FRANK O. LOWDEN.



SKETCH

OF

EDWARD COLES,

SECOND GOVERNOR OF ILLINOIS,

AND OF THE

SLAVERY STRUGGLE OF 1823-4.

PREPARED FOR THE CHICAGO HISTORICAL SOCIETY,

By E. B. WASHBURNE,
HONORARY MEMBER OF THE SOCIETY.

"The world knows nothing of its greatest men."
—*Philip Van Artevelde.*

CHICAGO:
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TO THE

HON. JOSEPH GILLESPIE.

One of the connecting links between the earlier and the later Illinois, and who in his career as a lawyer, a magistrate and a citizen, has illustrated the history of our State for more than half a century, this Paper is dedicated, as a slight token of the profound respect and high esteem in which he is held by

THE WRITER.

CHICAGO, MAY, 18, 1881.

HON. E. B. WASHBURNE:

Dear Sir:- I have the honor to inform you that at a stated meeting of the Chicago Historical Society, held last evening on motion of Hon. I. N. Arnold, the following preamble and resolution were unanimously adopted:

"*Whereas*, The late Edward Coles, second Governor of Illinois, was one of the most interesting characters in American history, and especially distinguished for the great and important services he rendered in preventing the extension of slavery into this State; and

Whereas, Many of the letters, papers and manuscripts of Gov. Coles have been placed, by his family, in the hands of our honored associate, the Hon. E. B. Washburne, with a view of preparing a Sketch of his life and services; and knowing that such a Sketch would be a most valuable and interesting contribution to the history of our State, and that Mr. Washburne, from his familiar knowledge of the history of Illinois, and his deep interest in the subject, would execute such work with fidelity, skill and ability: Therefore

Resolved, That the Hon. E. B. Washburne, on behalf of the Chicago Historical Society, and all students of American History, is earnestly requested to prepare for this society and publish a Paper on Governor Edward Coles."

I have the honor to be

Very respectfully,

ALBERT D. HAGER, Secretary.

CHICAGO, Illinois, May 26, 1881.

ALBERT D. HAGER, ESQ.,

Secretary of Chicago Historical Society.

Dear Sir: I have the honor to acknowledge the receipt of your letter of the 18th instant, enclosing the resolution of the Historical Society, requesting me to prepare for the Society a Paper on Governor Edward Coles. I have in my hands many of the papers, letters, manuscripts, &c., of Governor Coles, placed at my disposition by his son, Edward Coles, Esq., of Philadelphia, and I have spent some time in examining and looking them over with a view to the publication of some notice of that distinguished man.



Whatever I may prepare, I will cheerfully contribute to the Society, unworthy and imperfect as the contribution may be.

Important and interesting as the papers and correspondence which I have, may be found, there is a great deal lacking that is necessary for the full accomplishment of such a purpose as I have in view. Many years ago Governor Coles presented to the Alton Historical Society a large mass of books, papers, and documents, pertaining to the history of the State during his administration. He requested, however, that they might be lent to his old friend, the Rev. J. M. Peck, to be used in a historical collection he was then making.

Unfortunately, Mr. Peck's house was consumed by fire, involving the destruction of all this invaluable material. I have, however, made the best use I could of what I have in hand, and my Paper, when finished, I will send to you to go into the archives of your Society.

I have the honor to be,
Very truly,
Your obedient servant,
E. B. WASHBURNE.

"Not being aware of any consideration which should restrain me, but on the contrary, believing that my present office increases the obligation I am under, as a good citizen, to exert myself to enlighten the minds of my fellow citizens, and strenuously oppose every measure which I am convinced is unjust in principle, or injurious in its effects, and believing slavery to be both injurious and impolitic, I believe myself bound, both as a citizen and an officer, to do all in my power to prevent its introduction into this State."

(Letter of Governor Coles to Roberts Vaux of Philadelphia, dated Edwardsville, Illinois, June 27, 1823.)

"The part which thee has been called to act privately, as well as publicly and officially, in regard to the rights of mankind and for the upholding of the principles of justice and mercy toward a degraded and oppressed portion of our fellow beings, ought to be regarded as a manifestation of Providential power, concerning which we must always believe the same Divine interposition will be extended in every emergency. I am altogether satisfied that it is reserved for thee to witness the triumph of truth and beneficence in the struggle to which thee has been exposed, and what is of infinitely greater value, as it respects thyself, to reap a plenteous harvest in the most precious of all rewards—the approbation of Heaven! I feel a deep interest in thy character, and a lively gratitude for thy services, and it will always be among the purest consolations of my mind to be assured of thy welfare and happiness."

(Letter of Roberts Vaux to Edward Coles, dated Philadelphia, 6 mo., 14, 1824.)

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GOVERNOR EDWARD COLES

AND THE

SLAVERY STRUGGLE OF 1823-24

CHAPTER I.

PAPER PREPARED FOR THE CHICAGO HISTORICAL SOCIETY; THE CHARACTER OF GOVERNOR COLES REVEALED; LITTLE KNOWN OF HIM AT THE PRESENT DAY; HIS RELATION TO THE SLAVERY STRUGGLE OF 1823:4; HIS CORRESPONDENCE, PRIVATE PAPERS AND MANUSCRIPTS IN THE HANDS OF HIS SON, EDWARD COLES, OF PHILADELPHIA.

THE CHICAGO HISTORICAL SOCIETY has done me the honor to invite me to prepare a Paper on EDWARD COLES, the second Governor of the State of Illinois. No sketch of Governor Coles would be complete without connecting with it a reference to the struggle to make Illinois a slave State, which occurred during his term of office, and in which he took so prominent and effective a part; I shall, therefore, not only speak of Governor Coles, but shall briefly trace the history of one of the most remarkable contests, not only in the annals of our State, but in the nation.

What I shall make known to you of the character, the ability and the statesmanship of Edward Coles, will reveal to you a man whose life will, I am certain, challenge your admiration and respect, and whose services to our State will entitle him to the lasting

gratitude of us all. In him is illustrated the saying which Sir Henry Taylor puts into the mouth of Philip Van Artevelde:*

"The world knows nothing of its greatest men."

That there is so little known to the people of Illinois in relation to Governor Coles, is due to the fact of the comparatively short time he resided in the State (considering that he had been Governor), and to the further fact of his complete retirement from public life when yet a young man.

Though a resident of the State for more than forty-one years, I must confess to have had only a general knowledge of the character of Governor Coles, and of the services he rendered to our commonwealth. I knew that he was Governor of the State at the most critical epoch of its history, and that all his official and personal influence had been wielded to save Illinois from that blighting curse of human slavery which had been attempted to be fastened upon a soil that was supposed to have been consecrated to freedom by the ordinance of 1787. What little knowledge I had, however, inspired in me great respect for his character; and desirous to know more about him, I made my wishes and my purposes known to his son, Edward Coles, Esq., a well-known and highly respected citizen of Philadelphia, who has been kind enough to place in my hands much of the correspondence and many private papers and manuscripts of his father. A study

*"He was one
Of many thousand, such as die betimes,
Whose story is a fragment known to few."
—*Philip Van Artevelde: A Dramatic Roman*

of these papers and of the contemporary history of the State, enables me to contribute to the Society much that may not be generally known in regard to Governor Coles, and to aid, perhaps, in rescuing from forgetfulness and oblivion the name of a man whose memory should ever be cherished by the people of our State with pride and affection.

CHAPTER II.

EDWARD COLES, BORN DECEMBER 15, 1786, IN ALBEMARLE COUNTY, VIRGINIA; EDUCATED AT HAMPDEN SIDNEY, AND WILLIAM AND MARY COLLEGE; HIS CLASS-MATES HIS FAMILY; HIS RELATIONS TO THE DISTINGUISHED MEN OF HIS DAY; MADE PRIVATE SECRETARY TO MR. MADISON IN 1809; RESOLVES TO LIBERATE HIS SLAVES AND REMOVE FROM VIRGINIA.

EDWARD COLES was born December 15th, 1786, in Albemarle County, Virginia, on the old family estate called "Enniscorthy," on the Green Mountain. His father was JOHN COLES, who had been a colonel in the Revolutionary war. Having been fitted for college by private tutors, he was sent to Hampden Sidney, where he remained till the autumn of 1805, and was then removed to William and Mary College, at Williamsburg. He remained at William and Mary till the summer of 1807, when he left the college a short time before the final and graduating examination. Though Bishop Madison, cousin of President Madison, then president of the college, was perfectly satisfied with the progress young Coles had made in his studies while under his supervision, it was impossible for him to graduate on account of a severe fracture of his leg, and which at one time threatened the loss of the limb. This so interfered with his studies that he got behind in his class. Among his class-mates who became distinguished in public life, were Lieutenant-General Scott, President John Tyler, William S. Archer, United States Senator from Virginia, and Mr. Justice Baldwin, of the Supreme Court of the United States. The family of

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Coles was at the time a prominent one in Virginia, and allied to some of the most distinguished politicians and statesmen of that ancient commonwealth. The first two years after leaving college young Coles spent at Enniscorthy in reading and study, going over the whole range of history and politics. Though the father, Colonel John Coles, was not in public life, he had his most intimate friends among the distinguished politicians and statesmen of the day. The family mansion was the seat of the old-fashioned Virginian hospitality. It was visited by Patrick Henry, Jefferson, Madison, Monroe, the Randolphs, Tazewell, Wirt, and many others of the leading men of that time. The following letter of Patrick Henry to the father of Edward Coles, with a *fac-simile*, may be found interesting:

RED HILL, March 19th, 1797.

Dear Sir:- Your Favor, by cousin Walter, I rec[d]. I am extremely obliged to you for the Attention you have paid to sister Woods' affair. Poor Woman, I wished to serve her, but am situated so far from her that I can never think of riding so far as her place. As Mr. Peter Johnston and his Family are to be here in a very little Time, I shall wait 'til I see him; and I hope to settle some plan with him which may answer.

I refer to the young gentle[n] for my opinion as to Lyle's Matter. I congratulate you on the very promising appearance of your two sons. They are fine Boys indeed.

Mrs. Henry joins me in affectionate Regards to Mrs. Coles and the family, and I am, Dear sir,

Affectionately yours,

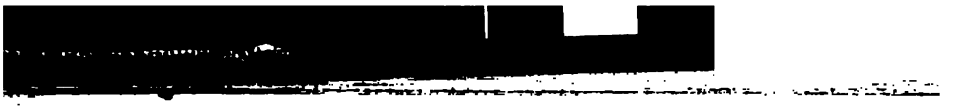
P. HENRY.

P.S.—When shall we see you all here? I want you to tell me how to manage my low grounds, and to make crops, &c., &c.

The year 1809 found Edward Coles a young man twenty-three years of age, the proprietor of a planta-

tion which his father had bequeathed to him before his death, the previous year, and a certain number of slaves. Of a polished education, fine personal appearance, good manners, and irreproachable character, President Madison tendered him the appointment of his private secretary, a position at that time of much dignity and importance. It was made particularly pleasant for young Coles, from the acquaintance of his family with Mr. Madison, and from the fact of his becoming a member of the Presidential household.

It was in his earlier college days that Mr. Coles had first presented to his mind the abstract question whether or not man had a right of property in his fellow man. He read everything on the subject that came in his way, and listened to lectures on the rights of man. The more he studied, the more he reflected, the more impossible was it for him to reconcile the immortal declaration "that all men are born free and equal," with a state of society which held human beings in bondage. He resolved, therefore, in his own mind that he would not only not hold slaves himself nor live in a State which upheld the institution of slavery. One reason which determined him to accept the appointment as private secretary to Mr. Madison was, because he believed that through acquaintances he could make at Washington, he could better determine in what part of the non-slaveholding portion of the Union it would be most advantageous for him to settle. Mr. Coles remained the private secretary of Mr. Madison for six years, enjoying in the fullest degree the confidence of that distinguished man. He soon acquired much knowledge of public affairs and of public men. His



great intelligence and his sauvity of manner made him very useful to the President and very popular generally. He also enjoyed the confidence and friendship of Mr. Monroe, Mr. Jefferson and many noted men of the day, to a remarkable degree.

CHAPTER III.

MR. JEFFERSON AND MR. COLES; THEIR CORRESPONDENCE IN 1814; THE LETTER OF MR. COLES; THE CELEBRATED ANSWER OF MR. JEFFERSON; CORRESPONDENCE BETWEEN MR. COLES AND NICHOLAS BIDDLE.

THE relations of Mr. Jefferson and Mr. Coles seem to have been of a very friendly character, and arising from the similarity of their views on the question of slavery, and their sympathy for each other in holding doctrines so much at variance with the prevailing sentiment in their own State. It was in July, 1814, that Mr. Coles, still the private secretary of Mr. Madison, opened a correspondence with Mr. Jefferson, which drew forth from the latter the most pronounced views on the question of slavery that had ever been put forth by so distinguished a man residing in a slave-holding community. I present here the correspondence. Nothing can better illustrate the character and deep convictions of Mr. Coles than his letter to Mr. Jefferson, dated July 14, 1814, and which shows how deeply he felt on the subject of slavery:

Edward Coles to Thomas Jefferson

WASHINGTON, July 31, 1814.

Dear Sir:- I never took up my pen with more hesitation, or felt more embarrassment than I now do in addressing you on the subject of this letter. The fear of appearing presumptuous distresses me, and would deter me from venturing thus to call your attention to a subject of such magnitude, and so beset with difficulties as that of a general emancipation of the slaves of Virginia, had I not the highest opinion of your goodness and liberality, in not only excusing me for the liberty I take, but in justly appreciating my motives in doing so.

I will not enter on the *right* which man has to enslave his brother man, nor upon the moral and political effects of slavery on individuals or on society; because these things are better understood by you than by me. My object is to entreat and beseech you to exert your knowledge and influence in devising and getting into operation some plan for the gradual emancipation of slavery. This difficult task could be less exceptionally and more successfully performed by the revered fathers of all our political and social blessings than by any succeeding statesmen; and would seem to come with peculiar propriety and force from those whose valor, wisdom and virtue have done so much in ameliorating the condition of mankind. And it is a duty, as I conceive, that devolves particularly on you, from your known philosophical and enlarged view of subjects, and from the principles you have professed and practiced through a long and useful life, pre-eminently distinguished as well by being foremost in establishing on the broadest basis the rights of man, and the liberty and independence of your country, as in being throughout honored with the most important trust by your fellow citizens, whose confidence and love you have carried with you into the shades of old age and retirement. In the calm of this retirement you might, most beneficially to society, and with much addition to your own fame, avail yourself of that love and confidence to put into complete practice those hallowed principles contained in that renowned Declaration, of which you were the immortal author, and on which we founded our right to resist oppression and establish our freedom and independence.

I hope the fear of failing, at this time, will have no influence in preventing you from employing your pen to eradicate this most degrading feature of British Colonial policy, which is still permitted to exist, notwithstanding its repugnance as well to the principles of our revolution as to our free institutions. For however prized and influential your opinions may now be, they will still be much more so when you shall have been taken from us by the course of nature. If therefore your attempt should now fail to rectify this unfortunate evil—an evil most injurious both to the oppressed and to the oppressor—at some future day when your memory will be consecrated by a grateful posterity, what

influence, irresistible influence will the opinions and writings of Thomas Jefferson have in all questions connected with the rights of man, and of that policy which will be the creed of your disciples. Permit me then, my dear Sir, again to entreat your great powers of mind and influence, and to employ some of your present leisure, in devising a mode to liberate one-half of our fellow beings from an ignominious bondage to the other, either by making an immediate attempt to put in train a plan to commence this goodly work, or to leave human nature the invaluable Testament—which you are so capable of doing—how best to establish its rights: so that the weight of your opinion may be on the side of emancipation when that question shall be agitated, and that it will be sooner or later is most certain. That it may be soon is my most ardent prayer—that it will be, rests with you.

I will only add as an excuse for the liberty I take in addressing you on this subject which is so particularly interesting to me, that from the time I was capable of reflecting on the nature of political society, and of the rights appertaining to man, I have not only been principled against slavery, but have had feelings so repugnant to it as to decide me not to hold them; which decision has forced me to leave my native State, and with it all my relations and friends. This I hope will be deemed by you some excuse for the liberty of this intrusion, of which I gladly avail myself to assure you of the very great respect and esteem with which I am, my dear Sir, your very sincere and devoted friend,

EDWARD COLES.

THOMAS JEFFERSON.

The celebrated answer of Mr. Jefferson to this letter, though before published, will bear to be reprinted:

MONTICELLO, Aug. 25, 1814.

Dear Sir:- Your favor of July 31 was duly received, and was read with peculiar pleasure; the sentiments breathed through the whole do honor to both the head and heart of the writer. Mine on the subject of the slavery of negroes have long since been in possession of the public, and time has only served to give

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eat friendship and respect.

Th: Jefferson

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s the inclosed letter
care to find your brother?

them stronger root. The love of justice and the love of country plead equally the cause of these people, and it is a mortal reproach to us that they should have pleaded it so long in vain, and should have produced not a single effort, nay I fear not much serious willingness, to relieve them and ourselves from our present condition of moral and political reprobation. From those of the former generation who were in the fullness of age when I came into public life, which was while our controversy with England was on paper only, I soon saw that nothing was to be hoped. Nursed and educated in the daily habit of seeing the degraded condition, both bodily and mental, of those unfortunate beings, not reflecting that that degradation was very much the work of themselves and their fathers, few minds had yet doubted but that they were as legitimate subjects of property as their horses or cattle. The quiet and monotonous course of colonial life had been disturbed by no alarm, and little reflection on the value of liberty; and when alarm was taken at an enterprise of their own, it was not easy to carry them the whole length of the principles which they invoked for themselves. In the first or second session of the legislature after I became a member, I drew to this subject the attention of Colonel Bland, one of the oldest, ablest, and most respected members, and he undertook to move for certain moderate extensions of the protection of the laws to these people. I seconded his motion, and, as a younger member, was more spared in the debate; but he was denounced as an enemy to his country, and was treated with the grossest indecorum. From an early stage of our revolution, other and more distant duties were assigned to me, so that from that time till my return from Europe in 1789, and I may say till I returned to reside at home in 1809, I had little opportunity of knowing the progress of public sentiment here on this subject. I had always hoped that the younger generation, receiving their early impressions after the flame of liberty had been kindled in every breast, and had become as it were the vital spirit of every American; that the generous temperament of youth, analogous to the motion of their blood, and above the suggestions of avarice, would have sympathized with oppression wherever found, and proved their love of liberty beyond their own share of it. But my intercourse with them since my return,

has not been sufficient to ascertain that they had made towards this point the progress I had hoped. Your solitary but welcome voice is the first which has brought this sound to my ear, and I have considered the general silence which prevails on this subject as indicating an apathy unfavorable to every hope, yet the hour of emancipation is advancing in the march of time. It will come; and whether brought on by the generous energy of our own minds, or by the bloody process of St. Domingo, excited and conducted by the power of our present enemy, if once stationed permanently within our country, and offering asylum and arms to the oppressed, is a leaf of our history not yet turned over.

As to the method by which this difficult work is to be effected, if permitted to be done by ourselves, I have seen no proposition so expedient on the whole, as that of emancipation of those born after a given day, and of their education and expatriation at a proper age. This would give time for a gradual extinction of that species of labor and substitution of another, and lessen the severity of the shock which an operation so fundamental cannot fail to produce. The idea of emancipating the whole at once, the old as well as the young, and retaining them here, is of those only who have not the guide of either knowledge or experience of the subject; for men probably of any color, but of this color we know, brought up from their infancy without necessity for thought or forecast, are by their habits rendered as incapable as children of taking care of themselves, and are extinguished promptly wherever industry is necessary for raising the young. In the meantime they are pests in society by their idleness, and the depredations to which this leads them. Their amalgamation with the other color produces a degradation to which no lover of his country, no lover of excellence in the human character, can innocently consent.

I am sensible of the partialities with which you have looked towards me as the person who should undertake this salutary but arduous work; but this, my dear Sir, is like bidding old Priam to buckle the armor of Hector "*trementibus aevo humeris et inutile ferrum cingi.*" No, I have overlived the generation with which mutual labors and perils begat mutual confidence and influence. This enterprise is for the young, for those who can follow it up and bear it through to its consummation. It shall have all my

prayers, and these are the only weapons of an old man. But in the meantime, are you right in abandoning this property, and your country with it? I think not. My opinion has ever been, that until more can be done for them, we should endeavor, with those whom fortune has thrown on our hands, to feed and clothe them well, protect them from ill usage, require such reasonable labor only as is performed voluntarily by freemen and be led by no repugnancies to abdicate them, and our duties to them. The laws do not permit us to turn them loose, if that were for their good; and to commute them for other property is to commit them to those whose usage of them we cannot control. I hope then, my dear sir, you will reconcile yourself to your country, and its unfortunate condition; that you will not lessen its stock of sound disposition by withdrawing your portion from the mass, that, on the contrary you will come forward in the public councils, become the missionary of this doctrine truly christian, insinuate and inculcate it softly but steadily thro' the medium of writing and conversation, associate others in your labors, and when the phalanx is formed, bring on and press the proposition perseveringly until its accomplishment. It is an encouraging observation that no good measure was ever proposed which, if duly pursued, failed to prevail in the end; we have proof of this in the history of the endeavors in the British parliament to suppress that very trade which brought this evil on us, and you will be supported by the religious precept "be not wearied in well doing." That your success may be as speedy and complete, as it will be of honorable and immortal consolation to yourself, I shall as fervently and sincerely pray, as I assure you of my great friendship and respect.

TH. JEFFERSON.

P. S. Will you give to the enclosed letter the proper address of place to find your brother?

Mr. Coles acknowledged the receipt of the letter of Mr. Jefferson as follows:

This letter of Mr. Jefferson, one of the most remarkable and one of the most honorable to his character he ever wrote, is given, also, in *facsimile*.

Letter from Edward Coles to Thomas Jefferson.

WASHINGTON, Sep. 26th, '14.

I must be permitted again to trouble you, my dear Sir, to return my grateful thanks for the respectful and friendly attention shown to my letter in your answer of the 25th ult. Your favorable reception of sentiments not generally avowed, if felt, by our countrymen, but which have ever been so inseparably interwoven with my opinions and feelings as to become, as it were, the rudder that shapes my course, even against a strong tide of interest and of local partialities, could not but be in the highest degree gratifying to me. And your interesting and highly prized letter conveying them to me in such flattering terms, would have called forth my acknowledgments before this but for its having been forwarded to me to the Springs, and from thence it was again returned here before I received it, which was only a few days since.

Your indulgent treatment encourages me to add that I feel very sensibly the force of your remarks on the impropriety of yielding to my repugnancies in abandoning my property in slaves and my native State. I certainly should never have been inclined to yield to them if I had supposed myself capable of being instrumental in bringing about a liberation, or that I could by my example ameliorate the condition of these oppressed people. If I could be convinced of being in the slightest degree useful in doing either, it would afford me very great happiness, and the more so as it would enable me to gratify many partialities by remaining in Virginia. But never having flattered myself with the hope of being able to contribute to either, I have long since determined, and should but for my bad health ere this, have removed, carrying along with me those who had been my slaves, to the country northwest of the river Ohio.

Your prayers I trust will not only be heard with indulgence in Heaven, but with influence on Earth. But I cannot agree with you that they are the only weapons of one at your age; nor that the difficult work of cleansing the escutcheon of Virginia of the foul stain of slavery can best be done by the young. To expect so great and difficult an object, great and extensive powers, both of mind and influence, are required, which can never be possessed

in so great a degree by the young as by the old. And among the few of the former who might unite the disposition with the requisite capacity, they are too often led by ambitious views to go with the current of popular feeling rather than to mark out a course for themselves, where they might be buffeted by the waves of opposition; and indeed it is feared that these waves would in this case be too strong to be effectually resisted by any but those who had gained by a previous course of useful employment the firmest footing in the confidence and attachment of their country. It is with them, therefore, I am persuaded, that the subject of emancipation must originate; for they are the only persons who have it in their power effectually to arouse and enlighten the public sentiment, which in matters of this kind ought not to be expected to lead, but to be led; nor ought it to be wondered at that there should prevail a degree of apathy with the general mass of mankind, where a mere passive principle of right has to contend against the weighty influence of habit and interest. On such a question there will always exist in society a kind of *vis inertia*, to arouse and overcome, which requires a strong impulse, which can only be given by those who have acquired a great weight of character, and on whom there devolves in this case a most solemn obligation. It was under these impressions that I looked to you, my dear Sir, as the first of our aged worthies to awaken our fellow-citizens from their infatuation to a proper sense of justice, and to the true interest of their country; and by proposing a system for the gradual emancipation of our slaves, at once to form a rallying point for its friends, who enlightened by your wisdom and experience, and supported and encouraged by your sanction and patronage, might look forward to a propitious and happy result. Your time of life I had not considered as an obstacle to the undertaking. Doctor Franklin, to whom, by the way, Pennsylvania owes her early riddance of the evils of slavery, was as actively and as usefully employed on as arduous duties after he had past your age as he had ever been at any period of his life.

With apologizing for having given you so much trouble on this subject, and again repeating my thanks for the respectful and flattering attention you have been pleased to pay to it, I renew

the assurances of the great respect and regard which makes me most sincerely yours

EDWARD COLES.

During the time that Mr. Coles was the private secretary of Mr. Madison, an intimate friendship seems to have sprung up between him and Nicholas Biddle, afterward president of the United States Bank, and whose name subsequently cut such a figure in our history. Mr. Coles and Mr. Biddle maintained for many years a friendly and voluminous correspondence. I have a large number of private letters of Mr. Biddle to Mr. Coles, the first dated in 1813. They are a model of epistolary correspondence.

Mr. Biddle was a member of the Pennsylvania State Senate in 1814 and '15, and letters written by him at that time to Mr. Coles have a certain political interest, even at this day:

Letter of Mr. Biddle to Mr. Coles.

HARRISBURG, Jan'y 17, 1815.

My Dear Coles:—Your last letter followed me to Harrisburg, and I am both ashamed and sorry not to have answered it sooner, as I might thus have had another letter from you.

I have been bearing my misfortunes here very philosophically and filling my time with all the grave, dull matters which occupy us. Among other things, I proposed the other day a draft of 8 or 9 thousand men to serve for a year—a measure which in six weeks would have given us a fine army. By dint of hard speaking it was carried thro' the Senate by a vote of 21 to 9, but in the H. of R. the name of conscription is given to it; and as that horrible name, which has frightened all the old women, both in petticoats and pantaloons, is as fatal as a mad dog, the bill will be lost. Such is the infatuation of party that my political friends are quite astonished at my having any concern in such a diabolical affair; and altho' the bill is almost a copy of an old act of Assembly in

1781, with much milder provisions, still there are many worthy persons who think that the bill is the work of Bonaparte. We shall next resort to a project of raising regular troops by voluntary enlistment, and if we can first raise the money for bounties, then the men, in some months from this, after the capture of Phil[a] perhaps we shall be prepared with a most reasonable supply of men.

But here, as in Congress, there seems to be a lamentable want of that energy which the crisis requires. Unless your Congress acts with more propriety they will be abandoned by those who have hitherto been their warmest supporters. Only a short time ago, a leading member of *your* party told me of his intention of submitting resolutions censuring the tardiness of the honorable Congress—and I, so little of a promoter of mischief among you politicians, that I dissuaded him from it, as exhibiting an appearance of divisions which might be injurious, so let the Congressmen look to it. What is this languid, miserable disease that afflicts Congress? There seems to be neither energy, talent, nor anything else among your majority. For God's sake, try to animate them to something generous and energetic. Mr. Monroe and Mr. Dallas must be provoked beyond measure at the course of affairs. How does the latter come on? I have heard that he is not very popular at Washington.

I have just heard from Mrs. Biddle, who is in good health, and from Craig, who amuses himself as much as ever. Will you not visit us this winter? I have been such a politician that I have not visited Phil[a] but once, and for a few days, since first I came here.

God bless you,
Aff'y y'rs,
NICHOLAS BIDDLE.

Letter from Mr. Biddle to Mr. Coles.

PHILADELPHIA, Feb. 19, 1815.

My Dear Sir:—I give you joy most cordially of the glorious pacification which I have just been reading. We are in truth a most favored and happy nation. To have carried on triumphantly a war so unequal and inauspicious, and now when our forces began

to fail and our means were almost exhausted, to be thus blessed with peace on honorable terms, is an abundance of good fortune which we had no right to expect. I rejoice at it with all my heart. God knows it was time for us to make peace, for between the Yankees and the Congress our affairs have been managed most sadly. If things had gone on thus much longer, I should have begun to pray for some Cromwell from the Navy Yard (that is the Navy Yard that was,) to clear the Hall of the Representatives and send them home. But now these good tidings put one in so pleasant a temper that we can forget all that has passed and look forward to the peaceful prosperity which awaits us.

I have come down rather unexpectedly, in consequence of a slight indisposition of Mrs. Biddle. She is much better. She is reading by my side, and desires to be remembered very kindly to you. Craig has just left us to go to Mr. Kentzow's. In a day or two I shall return to my den and make speeches. Fortunately the States have lost all their importance since the peace, and hereafter we shall content ourselves with making roads and fish-dams. This winter's campaign has not made me exceedingly enamored of senatorial dignity. It is very dull and stupid, and the only good thing I wished to do in the military way has so astonished all my orthodox political friends, that I run some risk of being damned at least, if not burned, for a heretic. These things do not affect me much. When a man takes the trouble of passing the winter in a vile country town, he should at least have the privilege of doing as he pleases. Shall we not see you when Congress adjourns? Now you have carried the treaties of England and of the Creeks, and put us at peace with the world, you might find leisure for a visit. We shall all be very glad to see you again.

Affect'y and Sincerely Y'rs,
N. BIDDLE.

Letter of Mr. Biddle to Mr. Coles.

Feb'y 25, 1818. (1815?)
PHILADELPHIA.

My Dear Coles:—I have had the pleasure of receiving your letter of the 18th, and must beg you to receive my thanks for the friendly interest you have taken in what concerns me.

With regard to the first subject of your letter, the information, altho' such as I anticipated, is still of some importance. Whilst the rumors in relation to myself were so widely circulated, however destitute of foundation I knew them to be, I could not remain totally insensible to them in deciding upon my course of life for the next few years. I am therefore glad to know distinctly how that matter stands. No person in the country would, I hope, be less disposed than myself to advance anything like a pretension to any place whatever. I certainly could not suppose that the President would suffer his personal regard for me to outweigh the obvious considerations connected with appointments of that sort—and the only anxiety I feel, is that in ascertaining the matter of fact, there was no appearance of an expression of a wish on my part. I rely very implicitly on your judgment, that nothing of that sort could be conjectured from the manner in which the subject was presented. How great that reliance is you need not be told, since you are the only person to whom the subject was or will be mentioned.

I have not as yet decided on the course which I may pursue for some time to come. With my habits the career of a public man is not without attractions. My experience of the last few years however, has not, I confess, strengthened my early predilection for that mode of life. Perhaps I begin to feel a decay of that vigorous ambition which some years ago would have carried me thro' every scene of public trouble, and given an animated interest to every public transaction. Perhaps I have lived too easily and too happily. Whatever be the cause, it is very certain that I feel no desire to resume a legislative station—and if the question were now proposed, I think that after balancing the hopes of usefulness to the country, and of personal distinction against the disagreeable things inseparable from that sort of life, I should decline an election to Congress. It is not improbable from the present situation of the District, that if I were disposed to use any exertion, I should have a reasonable chance of success. Whether, however, success be worth the attempt is the question at present. To go to Congress would probably interfere moreover with a project about which we have talked a great deal—of spending some years in Europe. The time when we shall go must

depend in a great degree on the situation of my family, but I feel some reluctance in contracting an engagement which might prevent that object. After all the decision of these things must be left to the course of events.

We have no news worth communicating to one who is drinking at the fountain-head.

The town is gay, and likely to continue so for some time. Among my regrets at not being here when you first came, one of the strongest is my not having had an opportunity of making you see and know Joseph Bonaparte. I have lately seen a good deal of him, and really he is by far the most interesting stranger I have seen in this country. He is free and communicative, and talks of all the great events and the great persons of his day with a frankness which assures one of his good nature as well as of his veracity. I am going to dine with him as soon as I finish this letter.

Mrs. Biddle desires to be particularly remembered to you, and bids me to warn you against the shepherdesses of the Illinois. Write to me before you leave Washington, and believe me always very aff't'y y'rs,

NICHOLAS BIDDLE.

Letter from Mr. Biddle to Mr. Coles.

HARRISBURG, March 11, 1815.

My Dear Sir:—I thank you kindly for your note in relation to my brother; I do not, however, perceive in the papers that the nominations are confirmed.

I send you a report on subject of the Hartford amendments; I drew it up as well because I think those amendments injudicious as because I was desirous of preventing the adoption of another report abusing the New England people. So many delusions have been propagated on the subject, that I thought it might be of service to make a moderate and candid statement—and this the more readily because we in Pennsylvania seem to be the natural mediators between you Southern people and the wise men of the East. I do not ask you to read so long a story, unless on some rainy day when you are in Albemarle and have nothing else to do.

This is the last evening we shall be in session, and I write in



the midst of the tumult of business which you know is crowded into the few last hours of the existence of a legislative body. I did not tell you that Mrs. Biddle, tired of my absence, has come to stay with me, and is now here. Shall we not see you this summer? Now that war and all its troubles are over, you are entitled to some recreation.

Sincerely and aff'y y'rs,

N. BIDDLE.

CHAPTER IV.

Mr. Coles Resolves to Sell his Plantation in Virginia and Liberate his Slaves; Resigns as Private Secretary to Mr. Madison, in 1815; Visits the North-western Territory; Extends his Journey to Kaskaskia and St. Louis; On his Return, Mr. Madison Sends him on a Mission to Russia; His Removal to the North-west Delayed; The Success of His Mission; Countries on the Continent and Great Britain Visited.

In 1814, after the conclusion of peace with Great Britain, Mr. Coles thought himself enabled to remove the obstacles in his way to selling his plantation and to leave the State and liberate his slaves. Accordingly in the following year, 1815, he resigned his position as private secretary, and spent a portion of the following autumn in exploring the North-western territory, for the purpose of finding a location and purchasing land on which to settle his negroes. This trip was made with a horse and buggy, having with him also a servant and a saddle-horse. It was thus that he travelled through many parts of Ohio, Indiana and Illinois, and then crossed the Mississippi to Missouri. He reached St. Louis, than a little French village, and now become so great and prosperous a city, in October of that year (1815), by way of Shawneetown and Kaskaskia, and which could then boast of but one brick house. Sending his servant back with one of his horses to Virginia, Mr. Coles descended the Mississippi to New Orleans, and thence went by sea to Savannah, Georgia. From thence he pushed his way to Charleston, and from there to his home at Enniscorthy.

It was at this time that there arose a serious misunderstanding between our government and Russia. The Emperor had considered himself purposely insulted by our government, and had threatened to expel or imprison our consul at St. Petersburg, who was then acting as our Charge d'Affaires in the absence of the Minister. William Pinkney, of Maryland, had been appointed minister to Russia on the 7th of March, 1816, but he was then at Naples, detained on public business. It was feared that he would find difficulty in reaching St. Petersburg, if not prevented going there at all. Mr. Pinkney, holding already the appointment of Minister, another one could not be sent. Mr. Madison, therefore, looked around for some able and discreet person whom he could send to Russia to smooth over the difficulties. Mr. Coles had lately been his private secretary, a member of his own family, and who enjoyed his fullest confidence. He therefore selected him for this very delicate and important mission. Although Mr. Coles' arrangements had already been made to settle in Illinois, he was so strongly urged by Mr. Madison to undertake the mission, that he consented to do so. To emphasize it, Mr. Coles was sent to Russia on a man-of-war, the "Prometheus," Captain Wadsworth. She sailed from Boston in the summer of 1816. The "Prometheus" was the first vessel of our navy which had ever sailed up the Baltic. Mr. Coles remained some three months at St. Petersburg awaiting the return of Emperor Alexander, who was then on a visit to Moscow and Poland. On the return of the Emperor the difficulties were, upon the explanations of Mr. Coles, most happily adjusted. The troubles grew

out of matters connected with the Russian Minister at Washington, Dashkoff; and the Emperor, to signify to the United States his disposition, after a knowledge of all the facts, offered to inflict any punishment on the offending Minister which the President of the United States might desire, and threatened to send him to Siberia. Mr. Coles very properly replied that our government had no suggestion to make in regard to any punishment of the offending Minister, but merely wished to have him recalled, which was promptly done.

The "Prometheus" did not remain to bring Mr. Coles back to the United States. After concluding his diplomatic business, he made a journey in his private carriage from St. Petersburg to Berlin. The fact that he had been sent in a diplomatic capacity to Russia in an American man-of-war, and the complete success of his mission, gave him the entree into diplomatic and official circles wherever he went in Europe. He was presented in his diplomatic capacity to Louis XVIII, of France, by Mr. Gallatin, United States Minister at that time. At a dinner at Mr. Gallatin's on the same day, he met for the first time General La Fayette. Their mutual acquaintance with Jefferson, Madison, Monroe, and many other men of the revolutionary times, procured for Mr. Coles an exceedingly cordial reception, and led to his being much in the company of La Fayette during his stay in Paris.

After three months sojourn in Paris, Mr. Coles passed over to England, where he spent many weeks in London, and then making a tour through England, Scotland, Ireland and Wales, he sailed from Liverpool for New York.

Confidential

Dear Sir

Montpelier July 7. 1826

Circumstances have arisen which make it expedient to forward communications to St. Petersburg by a special hand. Would the Trip be agreeable to you? You probably know the allowance usual on such occasions. It is I believe $6 a day; the outward & return passage provided by the publick; the expences on shore borne by the party himself. Unless

The following is the letter offering this mission to Mr. Coles. The *fac-simile* is presented:

[*Confidential.*]

MONTPELIER, July 7, 1816.

Dear Sir:—Circumstances have arisen which make it expedient to forward communications to St. Petersburg by a special hand. Would the trip be agreeable to you? You probably know the allowance usual on such occasions. It is I *believe* $6 a day, the outward and return passage provided by the public, the expenses on shore borne by the party himself. Unless a direct opportunity can be promptly found, it is probable that the course will be via England. Should you think favorably of the proposition, it may be well to ascertain by letter to Mr. Monroe, who is still at Washington all the particulars, which may be interesting to you, among others the precise amount of the allowance, and the probable time when your departure will be required. Whether your decision be in the affirmative or negative, be so good as to let me know it as soon as you can.

Accept my cordial regards,

JAMES MADISON.

E. COLES, Esq.

Mr. Monroe, who was at the time Secretary of State, gave the following letter of introduction to Mr. Coles to the consul of the United States to St. Petersburg, it is also presented in *fac-simile:*

DEP'T OF STATE,
Aug't 6, 1816.

Sir:—The bearer, Mr. Coles, is sent to Russia on business of importance with our minister there. He was lately the private secretary of the President, and is a very respectable and amiable young man. This is to introduce him to your acquaintance, and request your attention to him while at the post where you reside.

With great respect, I am, sir, y'r very ob't servant,

JAS. MONROE.

To the Consul of the U. States at St. Petersburg, and at other ports in Europe.

CHAPTER V.

MR. COLES REMOVES FROM VIRGINIA TO EDWARDSVILLE, ILLINOIS, WITH ALL HIS NEGROES, IN THE SPRING OF 1819; WAS AT KASKASKIA IN 1818; LETTER OF INTRODUCTION FROM PRESIDENT MONROE TO GOV. EDWARDS; THE CONDUCT OF MR. COLES IN REGARD TO HIS SLAVES; DIFFICULTIES IN THE WAY OF FREEING THEM; JOURNEY TO ILLINOIS; VOYAGE DOWN THE OHIO RIVER; MR. COLES GIVES ALL HIS SLAVES THEIR FREEDOM; A REMARKABLE SCENE.

IN the spring of 1819, all his preparations having been completed, he made a final removal with all his negroes from Virginia to Edwardsville, in this State. The first appearance of Mr. Coles in Illinois, except as he passed through the territory from Shawneetown to St. Louis, in 1815, was in the summer of 1818, at Kaskaskia, then the seat of government for the Territory of Illinois. A convention was then in session to form a constitution for the new State of Illinois. Mr. Coles had before this time determined, and for reasons which appear in this Paper, to remove from his native State of Virginia to Illinois. It was for this reason that he became much interested in the work of the convention at Kaskaskia, where he tarried several weeks to use what influence he might have to prevent any recognition of slavery in the constitution of the State which he desired to make his home.

Mr. Coles was the bearer of the following letter of introduction to Hon. Ninian Edwards:

WASHINGTON, April 13, 1818.

Dear Sir:—Mr. Edward Coles, intending to pass through Illinois, probably to remain some time there, I take much pleasure

in introducing him to your acquaintance and kind attention. I have long known and highly respected him for his excellent qualities and good understanding. He was, several years, private secretary of the late President, and employed by him as a confidential messenger to Russia, in which trusts he discovered sound judgment, great industry and fidelity, and is generally loved by those who know him best. Should he settle with you, you will find him a very useful acquisition—and I understand that is not an improbable event.

I hope that the arrangement made this winter will avail our country of your services, in the proposed treaty with the Indians, in a manner satisfactory to yourself; for success, on just principles, is the object of my most ardent wishes.

With great respect and esteem,

I am, dear sir, very sincerely yours,

JAMES MONROE.

HON. NINIAN EDWARDS.

I know of nothing more creditable to the character and action of Mr. Coles than his conduct in relation to his slaves. That conduct will honor his name and memory. Born amidst slavery and among slaveholders, who had given the best features possible to that dreadful institution, and amid the luxury and refinement of the highest type of Virginia life, in silence and after long reflection, he formed the most distinctive and radical ideas on the subject of slavery. He then made the resolution in his own mind not to hold as slaves the negroes left to him by his father. I quote from his own language in this regard: "I could not reconcile it to my conscience and sense of propriety to participate in slavery; and being unable to screen myself under such a shelter, from the peltings and upbraidings of my own conscience, and the just censure, as I conceived, of earth and heaven, I could not consent

to hold as property what I had no right to, and which was not and could not be property according to my understanding of the rights and duties of man—and therefore I determined that I would not and could not hold my fellow man as a slave."

But when Mr. Coles came to the point, he was met by great and almost insurmountable difficulties in manumitting his slaves. All his relations and friends were slaveholders and the example which he proposed to set would not only be an injury to them pecuniarily, but a reflection upon them as slaveholders, and would render him unpopular and odious. Independent of these considerations, the law of Virginia required, under penalty of forfeiting his freedom, that every negro should leave the State within one year after he should be emancipated.

Most men would have shrunk from what Mr. Coles then had in contemplation. He had been born and educated in wealth and luxury, and was apparently surrounded by all that could make a man happy and contented in life. But the hideous pall of slavery was over it all. He had been for six years in the charming household of Mr. Madison as his private secretary; had been sent abroad under peculiar circumstances on a semi-diplomatic mission; had travelled in Europe, and been associated with many of its most distinguished men. Mr. Coles, however, was equal to what he had proposed to himself. On the 1st of April, 1819, he started from his plantation ("Rockfish") with all his negroes, and all their offspring, which he had inherited, for Illinois, except two old women, too old and infirm to support themselves, who remained in Virginia, but

were supported by him during their lives. While the negroes knew that they were leaving the land of their birth and going to the North-western territory, they knew nothing of the intentions which Mr. Coles had in regard to them. But they followed with unfaltering faith the man who had been so kind and indulgent a master. The party of slaves were put in charge of one of their number, a mulatto man named Ralph Crawford, who had accompanied Mr. Coles on one of his trips to Illinois. It was a long journey in emigrant wagons over the Alleghanies to Brownsville, Pennsylvania. Mr. Coles started a few days afterwards on horseback, and overtook them one day's journey from Brownsville. At this place he bought two flat-bottomed boats, upon which he embarked himself and his traveling companion, a Mr. Green, of Virginia, together with all his negroes, horses, wagons, etc. The pilot that he had employed proved so drunken and worthless that he was obliged to discharge him at Pittsburg. From thence, constituting himself captain and pilot, they proceeded on their voyage down the Ohio river for more than six hundred miles, to a point below Louisville. There the boats were sold, and Ralph Crawford again took charge of his party, and continued the journey by land to Edwardsville, Illinois, where they arrived safe and well.

I will now let Mr. Coles himself describe a scene which must awaken deepest emotions in every generous heart. I copy from a manuscript in his own handwriting, which I have had in my hands, and which has never yet been published:

"The morning after we left Pittsburg, a mild, calm and lovely

April day, the sun shining bright, and the heavens without a cloud, our boats floating gently down the beautiful Ohio, the verdant foliage of Spring just budding out on its picturesque banks, all around presenting a scene both conducive to and in harmony with the finest feelings of our nature, was selected as one well suited to make known to my negroes the glad tidings of their freedom. Being curious to see the effect of an instantaneous severing of the manacles of bondage, and letting loose on the buoyant wings of liberty the long pent up spirit of man, I called on the deck of the boats, which were lashed together, all the negroes, and made them a short address, in which I commenced by saying it was time for me to make known to them what I intended to do with them, and concluded my remarks by so expressing myself, that by a turn of a sentence, I proclaimed in the shortest and fullest manner possible, that they were no longer slaves, but free —free as I was, and were at liberty to proceed with me, or to go ashore at their pleasure.

The effect on them was electrical. They stared at me and at each other, as if doubting the accuracy or reality of what they heard. In breathless silence they stood before me, unable to utter a word, but with countenances beaming with expression which no words could convey, and which no language can now describe. As they began to see the truth of what they had heard, and to realize their situation, there came on a kind of hysterical, giggling laugh. After a pause of intense and unutterable emotion, bathed in tears, and with tremulous voices, they gave vent to their gratitude, and implored the blessings of God on me. When they had in some degree recovered the command of themselves, Ralph said he had long known I was opposed to holding black people as slaves, and thought it probable I would some time or other give my people their freedom, but that he did not expect me to do it so soon; and moreover, he thought I ought not to do it till they had repaid me the expense I had been at in removing them from Virginia, and had improved my farm and "gotten me well fixed in that new country." To this, all simultaneously expressed their concurrence, and their desire to remain with me, as my servants, until they had comfortably fixed me at my new home.

I told them, no. I had made up my mind to give to them immediate and unconditional freedom; that I had long been anxious to do it, but had been prevented by the delays, first in selling my property in Virginia, and then in collecting the money, and by other circumstances. That in consideration of this delay, and as a reward for their past services, as well as a stimulant to their future exertions, and with a hope it would add to their self esteem and their standing in the estimation of others, I should give to each head of a family a quarter section, containing one hundred and sixty acres of land. To this all objected, saying I had done enough for them in giving them their freedom; and insisted on my keeping the land to supply my own wants, and added, in the kindest manner, the expression of their solicitude that I would not have the means of doing so after I had freed them. I told them I had thought much of my duty and of their rights, and that it was due alike to both that I should do what I had said I should do; and accordingly, soon after reaching Edwardsville, I executed and delivered to them deeds to the lands promised them.

I stated to them that the lands I intended to give them were unimproved lands, and as they would not have the means of making the necessary improvements, of stocking their farms, and procuring the materials for at once living on them, they would have to hire themselves out till they could acquire by their labor the necessary means to commence cultivating and residing on their own lands. That I was willing to hire and employ on my farm a certain number of them (designating the individuals;) the others I advised to seek employment in St. Louis, Edwardsville, and other places, where smart, active young men and women could obtain much higher wages than they could on farms. At this some of them murmured, as it indicated a partiality they said, on my part to those designated to live with me; and contended they should all be equally dear to me, and that I ought not to keep a part and turn the others out on the world, to be badly treated, etc. I reminded them of what they seemed to have lost sight of, that they were free; that no one had a right to beat or ill use them; and if so treated, they could at pleasure leave one place and seek a better; that labor was much in demand in that new country, and highly paid for; that there would be no difficulty

in their obtaining good places, and being kindly treated; but if not, I should be at hand, and would see they were well treated, and have justice done them.

I availed myself of the deck scene to give the negroes some advice. I dwelt long and with much earnestness on their future conduct and success, and my great anxiety that they should behave themselves and do well, not only for their own sakes, but for the sake of the black race held in bondage; many of whom were thus held, because their masters believed they were incompetent to take care of themselves, and that liberty would be to them a curse rather than a blessing. My anxious wish was that they should so conduct themselves as to show by their example that the descendants of Africa were competent to take care of and govern themselves, and enjoy all the blessings of liberty, and all the other birthrights of man, and thus promote the universal emancipation of that unfortunate and outraged race of the human family."

On board of the boat and before the party landed, Mr. Coles gave to the negroes a general certificate of freedom in which their names, ages, etc., were stated. It appeared, however, that at the last session of the Legislature of Illinois, a law had been passed, but which had not then been published, requiring every free negro to have the evidence of his freedom; and unless he possessed such evidence and had it recorded, he was liable to be imprisoned, and anyone hiring him was subject to a heavy fine for each day he should employ him. In consequence of the passage of this law, he was advised that it would be necessary for him to give to each negro or family a certificate of freedom, in which the individual or individuals should be named and described, the same to be made a matter of record, and that the shortest and best mode would be for him to execute separate instruments of emancipation. Mr. Coles at first objected to this, for the reason that he

had already given to the negroes a general certificate of freedom before they had come into the State. His lawyer, the Hon. Daniel P. Cook, afterwards so distinguished as a member of Congress, advised him that it would be better for carrying out, in the shortest and best form the provisions of the law, and protecting the negroes, as well as those who should employ them, he should give them separate papers. In accordance with that advice, on the 4th of July, 1819, he executed instruments of emancipation to all the negroes who were then residing in Illinois. He prefaced the instrument by setting forth that his father had bequeathed to him certain negro slaves and adding these great words: "Not believing that man can have of right a property in his fellow man, but on the contrary, that all mankind were endowed by nature with equal rights, I do therefore, by these presents restore to (naming the party) that inalienable liberty of which he has been deprived." That certificate formed the basis of a long and bitter law-suit, which will be alluded to farther on.

CHAPTER VI.

APPOINTED REGISTER OF THE LAND OFFICE AT EDWARDSVILLE, BY MR. MONROE, IN 1819; THE ADVANTAGES OF THAT POSITION; MAKES ACQUAINTANCE OF THE PEOPLE; PERSONAL APPEARANCE; IMPRESSION MADE ON THE PIONEERS OF THE COUNTRY; GOV. COLES AND GOV. EDWARDS, BOTH THE HIGHEST TYPES OF GENTLEMEN; THE SECOND ELECTION FOR GOVERNOR IN 1822; A STUMP CANVASS; COLES ELECTED BY A SMALL PLURALITY OVER CHIEF JUSTICE PHILLIPS; COLES, ANTI-SLAVERY, SUCCESSFUL ONLY THROUGH DIVISION OF THE OPPOSING PARTY; LEGISLATURE LARGELY PRO-SLAVERY; LIST OF MEMBERS.

MR. COLES having made known his determination to settle in Illinois, on March 5, 1819, Mr. Monroe conferred upon him the appointment of Registrar of the Land Office at Edwardsville, which was at that time one of the principal land offices in the State. This appointment was a most fortunate one for Mr. Coles, as it enabled him to make acquaintances over a large part of the State then settled, and to reach that position which made it possible for him in so great a measure to shape its future destiny. There were no positions in the new States in which the public lands were situated, so favorable for forming acquaintances, and making political capital as those of land officers. Settlers from every part of the land districts were obliged to go to the place where the land office was located, to enter their lands and secure their homes. To enable themselves to accomplish this purpose and acquire the means to enter their lands, had cost the settlers great labor and many privations. It was the ambition and hope of their lives to get a title to their

homes, and there was no man who was not without anxiety that something might not turn up to thwart his purpose, and many thought that the land officers held their destinies, in some measure, in their hands. When the settler reached Edwardsville, dressed in jeans and wearing moccasins, with his money in his belt, having traveled on foot or on horseback long distances, and first presented himself to the Register of the Land Office, there he found Edward Coles, who had recently emigrated into the State from Virginia. It was known to some of them that he had been the private secretary for President Madison, and had been on an important mission to Europe.

They found him a young man of handsome, but somewhat awkward personal appearance, genteelly dressed, and of kind and agreeable manners. The anxious settler was at once put at ease by the suavity of his address, the interest he appeared to feel in aiding him, and the thoroughly intelligent manner in which he discharged his duty. No man went away who was not delighted with his intercourse with the "Register." And herein is illustrated the great mistake so often made by politicians and candidates for popular favor. Too many candidates for the suffrage of the people in our early political contests thought it necessary, in order to make themselves popular, to affect slovenly and unclean dress and vulgar manners in their campaigns. There was never a greater mistake. However rough, illclothed and unintelligent the voter might be, he always preferred to vote for the man who was dressed and acted like a gentleman to the one who dressed like and acted like himself. This was partic-

ularly apparent in the case of Governor Edwards, who was, perhaps, the most successful political canvasser of his day in the State. In his canvasses before the people he never descended to the ordinary tricks and subterfuges of the lower grade of politicians running for office. He showed himself as the highest type of a well dressed and polished gentleman. Always riding in his own carriage and driven by his negro servant, the people thought it an honor to vote for such a gentleman. And as it was with Governor Edwards, so it was with his immediate predecessor, Governor Coles. Such were his dignified manners and gentlemanly deportment under all circumstances and upon all occasions, that he was always respected.

The election for Governor of the State, to succeed Governor Bond, took place in August, 1822. There were no political conventions in those days to nominate candidates, and the different aspirants for elective offices went in on their own hook, or, in the language of the day, "run stump." There were no distinctive political parties at that time, and no great national questions occupied the attention of the people. Governor Bond being ineligible for re-election was not a candidate. The most prominent man brought out for Governor in this contest was Joseph Phillips, then Chief Justice of the State. His prominent supporters were among the early settlers, particularly from the slave-holding States, and though the matter was not particularly agitated, holding extreme views on the slavery question. Mr. Coles, who had only been three years in the State, was brought forward by a class of men who had no sympathy with the Phillips party-men who

had known Coles as Register of the Land Office, and who admired and respected his character. At the commencement of the contest these were the principal candidates. As the canvass advanced, Coles developed strength in the south-eastern part of the State, along the Wabash, which alarmed the Phillips men, and to take away votes from Coles they brought out as a candidate, Thomas C. Browne, then an Associate Justice of the Supreme Court, who was supposed to have great strength in that part of the State.[1] Both Phillips and Browne were pronounced pro-slavery men, while Coles was known to be anti-slavery. There were then three candidates—Phillips, Coles and Browne. Afterwards there appeared a fourth, and for what reason I have never seen explained, in the person of Major General James B. Moore, of the State Militia. This was a somewhat extraordinary contest, and Coles was elected by a plurality of only fifty votes over Phillips. Coles had two thousand eight hundred and ten votes; Phillips, two thousand seven hundred and sixty votes; Browne, two thousand five hundred and forty-three; and Moore, five hundred and twenty-two votes.[2] While Browne was brought out to help Phillips in the Wabash country, the result shows that it was his candidacy that beat Phillips. A large majority of the votes given to Browne would undoubtedly have been given to Phillips had not Browne been a candidate. Browne had only two hundred and seventeen votes less than Phillips. The aggregate vote of Coles and General Moore was three

[1]See Pease, *The Frontier State*, 76. Browne was introduced by the Edwards faction in the state, which was hostile to Phillips as well as to Coles.

[2]See Pease, *The Frontier State*, 76. The results of the election are given as follows: Coles, 2,854 votes; Phillips, 2,687; Browne, 2,443; Moore, 622.

thousand three hundred and thirty-two. That might be considered the vote of those opposed to bringing slavery into the State, while Phillips and Browne, in favor of introducing slavery into the State, had a total vote of five thousand three hundred and three. Personal considerations entered to some extent into this contest, but if this vote would be considered a criterion on the slavery question, it would show a majority of one thousand nine hundred and seventy-one votes in favor of introducing slavery into the State by virtue of an amended constitution.

It will have been seen, therefore, that Mr. Coles was elected Governor by a large minority of the whole vote cast, and through the division of the pro-slavery men. At this same election, and where there was no such division, the pro-slavery men elected their candidate for Lieutenant-Governor, Adolphus Frederick Hubbard, by a decided majority, as well as a majority in both branches of the Legislature, and strongly opposed to Governor Coles.

The following is the list of Senators and Members of the House of Representatives, composing the Legislature of 1822-3:

☞Those marked with an asterisk voted against the Convention Resolution.

SENATORS.

ADOLPHUS F. HUBBARD, Lieut.-Governor and Presiding Officer.
THOMAS LIPPINCOTT, Secretary.

Sangamon—Stephen Stillman.*
Madison—Theophilus W. Smith.
Washington—Andrew Bankson.*
Randolph—Samuel Crozier.
Wayne and Lawrence—William Kinkade.*
Greene, Morgan, etc.—Geo. Cadwell.*

Union and Alexander—John Grammar.

Crawford, Clark and Edgar—Daniel Parker.*

Hamilton, Jefferson, and Marion—Thomas Sloo, Jr.

Bond, Fayette, and Montgomery—Martin Jones.

Jackson—William Boon.

White—Leonard White.

Edwards—Robert Frazier.*

Johnson and Franklin—Milton Ladd.

St. Clair—William Kinney.

Monroe—Joseph A. Beaird.

Gallatin—Michael Jones.

Pope—Lewis Barker.

HOUSE OF REPRESENTATIVES.

WILLIAM M. ALEXANDER, of Alexander, Speaker.
CHARLES DUNN, Clerk.

Monroe—William Alexander.

Pope—Samuel Alexander, James A. Whiteside.

Madison—Curtis Blakeman,* George Churchill,* Emanuel J. West.

Fayette and Montgomery—Wm. Berry.

Lawrence—Abraham Cairnes.*

Hamilton, Jefferson, and Marion—Zadock Casey.

Franklin—Thomas Dorris,

Gallatin—J. G. Daimwood, James S. Davenport.

White—John Emmitt, Alexander Phillips, G. R. Logan.

Crawford—David McGahey,* R. C. Ford.

Union—Alexander P. Field, John McIntosh.

Johnson—William McFatridge.

Pike and Fulton—Nicholas Hansen.†

Clark and Edgar—Wm. Lowrey.*

St. Clair—Risdon Moore,* Jacob Ogle,* James Trotier.

Randolph—Thomas Mather,* Raphael Widen,* John McFerron.

Bond—Jna. H. Pugh.*

Edwards—Gilbert T. Pell.*

Greene and Morgan—Thos. Kattan.

Washington—James Turney.

Jackson—Conrad Will.

Sangamon—James Sims.*

Wayne—James Campbell.

†Shaw, substituted for Hansen, voted for the Convention Resolution.

CHAPTER VII.

INAUGURATED AS GOVERNOR, DECEMBER, 1822; HIS "SPEECH" ON THE OCCASION; SOUND VIEWS ON THE CURRENCY QUESTION; BOLD DENUNCIATION OF SLAVERY, THE BLACK LAWS OF THE STATE, AND OF KIDNAPPING; LETTER IN REGARD TO THE TITLE OF HIS OFFICE; THE EFFECT OF THE GOVERNOR'S SPEECH; THE OPENING UP OF THE GREAT QUESTION OF MAKING ILLINOIS A SLAVE STATE; CHARACTER OF THE EMIGRATION FROM THE SLAVE STATES; INCENSED AT THE ELECTION OF GOVERNOR, COLES; PRO-SLAVERY MAJORITY IN BOTH BRANCHES OF THE LEGISLATURE; PLAN CONCEIVED TO MAKE A SLAVE CONSTITUTION.

THIS Legislature convened at Vandalia on the first Monday of December, 1822, and on the 5th day of that month Governor Coles delivered in person what is called a "Speech on his inauguration in the presence of both houses of the General Assembly of Illinois." No one who reads this "Speech," as it was called at that day, can but be struck with its elevated tone and the wisdom of its recommendations.* He spoke of the fluctuating and deranged state of the circulating medium, and the mania for banking, which had brought its train of evils inseparable from its excesses. He said the State should profit by the experience of others that had adopted delusive measures in attempting to relieve the community from pecuniary embarrassments, the effect of which had been to increase the evils they were intended to remove. He enunciated the sentiment

*Extract of a letter of Morris Birkbeck to Governor Coles, dated Wansborough, Dec. 21, 1822: "I should write to you even were it only for the pleasure of telling you that your speech has made a very favorable impression in this quarter, and is highly commended, both as to matter and composition. Judge Wattles, a New Yorker, a man of talents, says it reminds him of Governor Clinton, in good sense and plainness. This, I believe, he considers the maximum of praise."

which now, after a lapse of more than fifty-eight years, in view of the prolonged and heated discussions on the theatre of national politics, must have a great interest. He continued:

"It behooves Illinois, which has been tempted to follow the example of her neighbors, to profit by their experience, and to restore, as soon as she can, the currency of the State to the fixed and universal standard of gold and silver, or what shall be equivalent to them; believing as she must that those are the great desiderata in a sound currency. A currency changeable in value can form no standard for the value of other things; and of course fails in its object, inasmuch as it is always operating injuriously and unjustly in the discharge of debts, by a greater or less amount, intrinsically, than was contracted for."

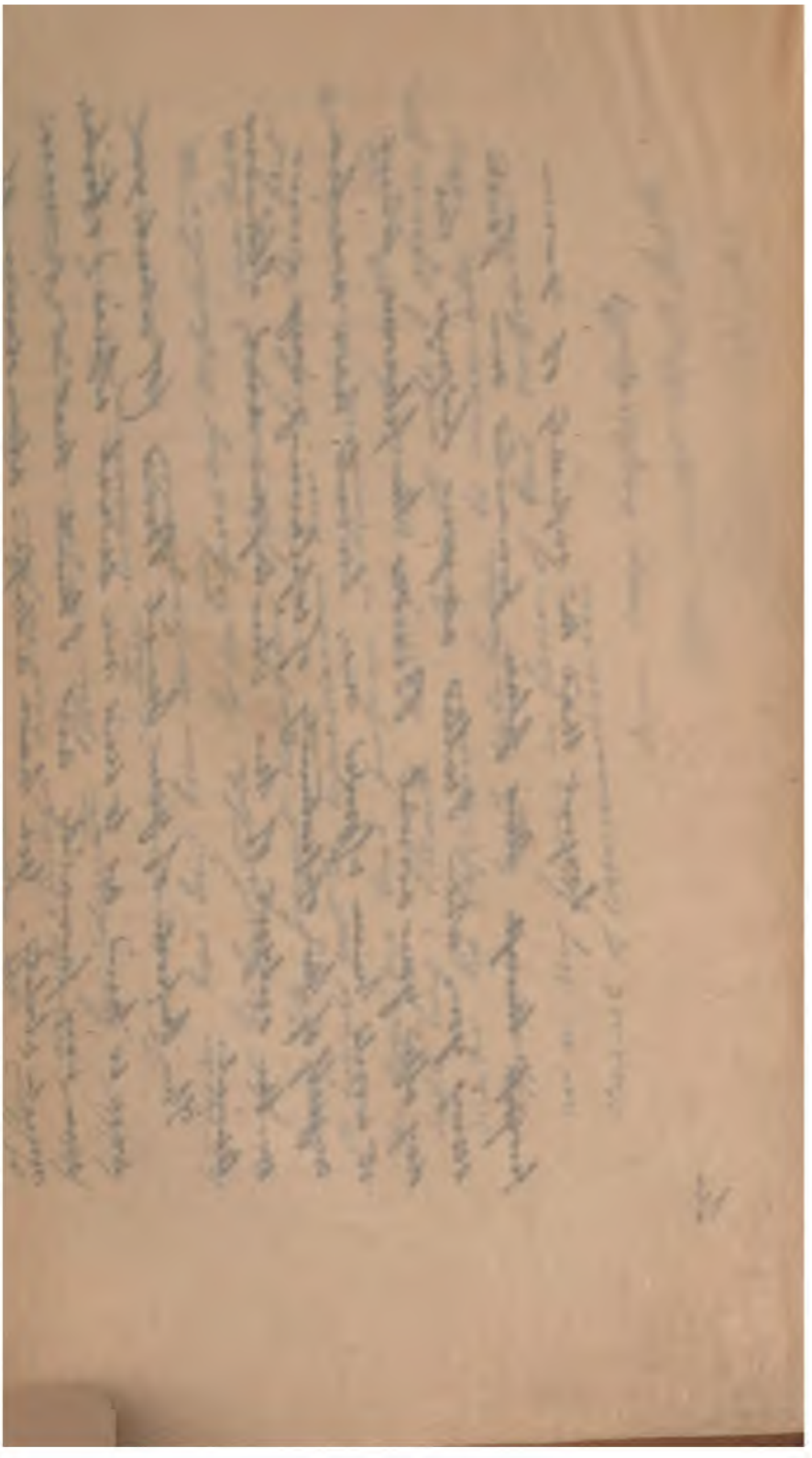
It was but a few days after his inauguration that Governor Coles wrote the following letter touching the title of his office. It illustrates the character of the man.

VANDALIA, Dec. 10, 1822.

Gentlemen:—Our State constitution gives to the person exercising the functions of the Executive, the appellation of *Governor*—a title which is specific, intelligible, and republican, and amply sufficient to denote the dignity of the office. In your last paper you have noticed me by the addition of "His Excellency," an aristocratic and high-sounding adjunct, which I am sorry to say has become too common among us, not only in newspaper annunciations, but in the addressing of letters, and even in familiar discourse. It is a practice disagreeable to my feelings, and inconsistent, as I think, with the dignified simplicity of freemen, and to the nature of the vocation of those to whom it is applied. And having made it a rule through life to address no one as His Excellency, or the Honorable, or by any such unmeaning title, I trust I shall be pardoned for asking it as a favor of you, and my fellow-citizens generally, not to apply them to me. I am, &c., &c.,

EDWARD COLES.

Messrs. Brown & Berry, Editors of the Illinois Intelligencer.



money market, it would not be a judicious time to operate, but as soon as this pressure is removed, and it cannot last long, I think that it would be well to make the experiment. And it will, I assure you, afford me high satisfaction to render all the aid in my power in favor of this important channel of communication.

I am, very respectfully,

Your most obed. servant,

DEWITT CLINTON.

GOVERNOR COLES.

But the emphatic part of the message of Governor Coles was that in relation to slavery, a subject always nearest to his heart. He declared that notwithstanding the ordinance of 1787, slavery still existed in the State, and he earnestly invoked the interposition of the Legislature in the cause of humanity. He strongly recommended that the Legislature make just and equitable provisions for the abrogation of slavery in the State. He declared that "justice and humanity required of us a general revisal of the laws relative to negroes, in order the better to adapt them to the character of our institutions and the situation of the country." He also recommended to the Legislature to enact more effective laws to prevent the kidnapping of free blacks, a crime which he was sorry to say was too often committed with impunity in the State.

This "Speech" to the Legislature by Governor Coles, so far as regarded slavery, opened up a controversy of unheard of bitterness, and involving consequences to the State and to the Union which cannot be measured by human ken. A large majority of the inhabitants of Illinois at this time were from the slaveholding States. Many of them leaving their States because they were not able to hold slaves, and hoping

to accomplish a state of things which would allow them to indulge in their cherished wish in the State in which they had made their homes, they were more ultra pro-slavery than the slave-holders of the States which they had left. Governor Coles, an anti-slavery man, had been elected by a minority vote, and by a division of the pro-slavery men. They saw that if their forces had been united, their candidate, Chief Justice Phillips, would have been elected Governor by a large majority. Notwithstanding they had lost their Governor, they elected decided majorities in both branches of the Legislature. Under these circumstances, as may well be conceived, the pro-slavery men now considered it their time to strike for a change in the constitution of the State.

CHAPTER VIII.

THE EXISTENCE OF SLAVERY IN ILLINOIS; THE ORDINANCE OF 1787 CONTENDED NOT TO BE BINDING; A COMMITTEE OF THE LEGISLATURE REPORT IN FAVOR OF A CONVENTION TO ALTER THE CONSTITUTION; THE EARLY INHABITANTS OF THE STATE; PREJUDICE AGAINST THE "YANKEES;" INCIDENT RELATED BY CAPT. GEAR; JUDGE GILLESPIE'S STATEMENT OF THE SITUATION IN ILLINOIS AT THIS TIME; MANNER OF AMENDING THE CONSTITUTION; DIFFICULTY OF GETTING THE REQUISITE VOTE IN THE LOWER HOUSE; THE OBJECT TO BE ACCOMPLISHED AT ALL HAZARDS; THE PROJECT RESISTED IN THE LEGISLATURE; LOOSE PRACTICES IN THAT DAY IN THE "KINGDOM OF PIKE;" LETTER OF WM. P. MCKEE; REMINISCENCES OF JOHN SHAW; THE WHIG CELEBRATION AT GALENA IN 1840; JOHN S. MILLER AND JOHN SHAW; "TIP AND TY."

THE first constitution prohibited slavery, and it may well be asked how it was possible that a state of slavery could exist in Illinois at the time of which we are speaking. Illinois was slave territory before it was ceded by Virginia to the United States. The deed of cession from Virginia provided that "the inhabitants of the Territory ceded, who professed themselves to have been citizens of Virginia previous to the cession should have their possessions and titles confirmed to them, and be protected in their rights and liberties." This deed of cession was executed March 1st, 1784. It was on the 13th of July, 1787, that Congress passed the ordinance which provided that there should be neither slavery nor involuntary servitude, etc., in the Northwestern Territory. It was strenuously contended that this ordinance of 1787 was in conflict with the deed of cession, and therefore of no binding effect.

The first act of the Legislature was to appoint a committee on that portion of Governor Coles' message which referred to slavery. That committee reported in substance that at "the period when Illinois was admitted into the Union upon an equal footing with the original States in all respects whatever; and whatsoever causes of regret were experienced by the restrictions imposed upon the first convention, your committee are clearly of the opinion that the people of Illinois have now the same right to alter their constitution as the people of the State of Virginia, or any other of the original States, and may make any disposition of negro slaves they choose, without any breach of faith or violation of compact, ordinances, or acts of Congress; and if the reasoning employed be correct, there is no course left by which to accomplish the object of this portion of the Governor's message than to call a convention to alter the constitution."

The history of the attempt to fasten slavery on the State of Illinois is one of great interest to every citizen of the State.

The earliest inhabitants of Illinois were French Canadians and emigrants from Kentucky, Tennessee, and North Carolina. The French Canadians had been slaveholders from the earliest times in the Territory, which afterwards was Illinois, and were favorable to the institution. The emigration from Kentucky was by far the best, Tennessee was below Kentucky and the North Carolina emigration was mostly the "poor whites." There was much ignorance and shiftlessness among many of them, combined with an intense prejudice against all people from the free States, whom

they called "Yankees." Captain Gear, a very early settler of the southern part of the State, and who afterwards located at Galena, once told me of an incident he had witnessed in early times in Southern Illinois. Some man from a free State had been addressing a political meeting of these people on a certain occasion. He made an able and eloquent speech, but after its conclusion, its effect was entirely destroyed by some "Sucker" who succeeded him, making three jumps, and each time exclaiming, "I am a white man," "I am a white man," "I am a white man."

The following is Judge Gillespie's statement of the situation at the time:

"It was conceded in those days that a State formed out of the "North West Territory" could not be *admitted* into the Union contrary to the provisions of the ordinance of 1787, which prohibited slavery, but the slavery propagandists contended that you could, the next day after being admitted under an *anti-slavery* constitution, change the constitution so as to admit slavery, and in that way, "whip the devil around the stump." It was likewise contended that slavery existed in Illinois beyond Congressional interference, by virtue of the treaty (of 1763) between France and England, and that between England and the United States at the close of the Revolutionary War, in both of which the rights of the French inhabitants were guaranteed. One of these rights was that of holding slaves, which, it was contended, was protected by treaty stipulation, and was equal in binding effect, to the Constitution (of the United States) itself. Besides, it was maintained, that by the conquest of George Rogers Clark, this country became a part of Virginia, and that Congress had no more power to abolish slavery in Illinois, than it had in Virginia. The logic of the times was that the French inhabitants had the right to hold slaves, and that the other inhabitants had equal rights with the French—ergo: they all had the right to hold slaves. This was the argument of the celebrated constitutional expounder—John

Grammar, of Union county— in the Legislature, in reply to an intimation questioning the validity of the title of slaves in Illinois. The old gentleman instantly arose and remarked "that fittener men" than he was "mout hev been found to defend the masters agin the sneakin' ways of the infernal abolitioners; but havin' rights on my side, I don't fear, Sir. I will show that 'ar proposition is unconstitutionable, inlegal, and fornenst the compact. Don't every one know, or leastwise had ought to know, that the Congress that sot at *Post Vinsan**, garnisheed to the old French inhabitants the right to their niggers, and haint I got as much rights as any Frenchman in this State? Answer me that, Sir." Notwithstanding this seeming confidence, these men were exceedingly desirous of reinforcing their rights. They resorted to the indenturing method, by which they got their servant to go before some officer and bind himself to serve the master, generally for ninety-nine years, for which he was to receive a slight equivalent at the end of each year.

As the "Yankees" increased in numbers, confidence (on the part of the pro-slavery men) in the titles to their negroes, diminished, and they finally concluded that there was no assurance for them, except in changing the constitution so as to sanction slave-holding; and thus the contest commenced, which for fierceness and rancor excelled anything ever before witnessed. The people were at the point of going to war with each other. The pro-slavery men were, as they have always been, ready to resort to violence wherever they dared, unwilling to listen to, or incapable of comprehending arguments. Their method of overcoming opposition was by 'bulldozing;' but on this occasion they had to encounter men of invincible courage, who were eager and willing to 'beard the lion in his den,' and defend their rights at all hazards. Many of these men had removed to Illinois to get rid of the curse of slavery."

By a provision of the then existing constitution, no change thereof could be made unless the question of a convention to form a new constitution should be sub-

*Vincennes was in early times called by the settlers of Indiana and Illinois "*Post Vinsan.*"

mitted to the people by a joint resolution of the Legislature, adopted by a two-thirds vote. While the pro-slavery men had precisely two-thirds of the votes of the Senate, in the House, they lacked one vote of the requisite number.

The pro-slavery men showed themselves in this controversy, sprung unexpectedly upon the Legislature, vehement, determined, and unscrupulous. They considered their great object would be accomplished if they could only secure a call of the convention, for they believed that a majority of the people of the State were ripe for the introduction of slavery. Influenced by great convictions, loving freedom and hating slavery, the minority fought the question of the convention with a boldness and resolution worthy of the great cause in which they were engaged, though one or two men faltered in the struggle. There was a noisy, demonstrative, and aggressive public opinion at Vandalia at that time. Judges, prosecuting attorneys, county officers, men seeking office and special legislation at the hands of the pro-slavery Legislature, were all howling for a "convention." Denunciations and curses unlimited were visited upon Governor Coles, and upon that little band in the Legislature which had attempted to thwart the pro-slavery party in passing the convention resolution. But that object was to be accomplished at every cost, and without regard to the means to be employed. At almost the last moment, and when it was found that neither influence, nor threats, nor coaxing, would secure the requisite vote to pass the resolution, it was determined in order to accomplish the object that an anti-convention man should be put

out of the House, and a convention man put *in* his place. Such a change would give the convention party precisely the two-thirds vote required. Nicholas Hansen had received the certificate of election as a member of the House from Pike county, which then embraced the whole central and northern part of the State. Hansen's competitor was John Shaw, one of the earliest settlers of Illinois, and who it is said was the very first settler on the "military tract." And here a digression for a single moment. I am myself a citizen of Illinois, old enough to have known John Shaw. The first time I ever saw him was in Galena, in July, 1840, where there was an immense political meeting, held by the Whigs in the interest of "Tippecanoe and Tyler too." Shaw, I think, then lived at Hamburg, in Calhoun county, and owned and navigated a steamboat named the "John Shaw." This steamboat had been chartered by the Rock Island county Whigs, for the Whig gathering at Galena. The boat was a little behind time in arriving on the day of the meeting, and she was looked for with great anxiety by the crowd that expected her to bring great accessions to their numbers from Rock Island and the various towns on the Mississippi river. Coming slowly up Fever river, gaily dressed out with bunting, having a band of music on board, her arrival was hailed with the most intense enthusiasm by the Whigs on the levee; but the culmination of this enthusiasm was reached when a canoe named "Tip and Ty," was seen suspended over the boiler deck, in which was seated John Shaw and John S. Miller, one of the very earliest settlers of the lead mines, holding paddles in their hands, going through the pantomime of paddling

"Tip and Ty." I never saw him afterwards until at Washington, during the session of Congress, 1855-6. He was there in the prosecution of some claim against the Government, and had then become quite an old man, and quite blind. He called to see me frequently. He was a short, spare man, of a quick and nervous movement, with a vivid recollection of the early incidents of the country, full of anecdote and reminiscence, and withal a quiet humor, which made his visits always pleasant and agreeable.

The historian of Pike County is not very complimentary to Shaw. He says, in substance, that Shaw was a very early settler at Coles' Grove, which was the county seat of Pike before Calhoun was set off from it, and was County Commissioner of Pike County before Calhoun was constituted. He was a noted man, ambitious, restless, unscrupulous and engaged in all sorts of business, and particularly in politics. At one time he had great sway over the community, and was called the "Black Prince," the name being given him on account of the control he had over a large number of "half breeds" in the county. "He forged deeds, even by the quire, doctored poll books, etc. So great was his influence, but at the same time so injurious to the settlers, that the public issue was gotten up in politics, of 'Shaw' and 'Anti-Shaw,' and it was not until a great and united struggle, that Shaw lost his supremacy." After this happened, Shaw left Pike county and the State, and moved to Wisconsin and became the first settler of "Shaw's Landing," now the city of Berlin, Wisconsin.[3]

[3]This is an error. Shaw settled at St. Marie, about fourteen miles from Berlin, which was known as Strong's Landing. See "Personal Narrative of Col. John Shaw," in *Wisconsin Historical Collections*, 2: 231.

The contest between Hansen and Shaw, for members of the Legislature for Pike county, seems to have been a very lively one. I have a curious letter on the subject of this election, written to Governor Coles from Edwardsville, August 19th, 1822, and a few days after the election, by William P. McKee, who I believe, was a clerk in the Land Office under Mr. Coles, the then Register. I set the letter out herein, as an interesting item of that contest which was destined to take such proportions in the future. There seems to have been a warm time in the "Kingdom of Pike," and practices were resorted to at that early period, which have been too much in vogue at a later day.

EDWARDSVILLE, Illinois, August 17, 1822.

Dear Sir:—Since your departure from this place, I have learned the state of the polls in several counties. Mr. Buckmaster returned from Kaskaskia, yesterday. He says that Lockwood told him that he had heard from all the counties but Crawford and White, exclusive of which, you had a majority over Phillips (who is now thought to have beaten Browne), of from two hundred and fifty to three hundred votes. There appears to exist no doubt now, but that you are elected. Mr. Warren *has given it up*, as you will see by his paper of this day, sent you to Albemarle. Mr. Cook, I presume, is doubtless re-elected. It is generally thought, I believe, that Hubbard is elected Lieutenant Governor. In our calculations made of the votes given for Governor, I had not included your vote in Pike county, which was eighty-nine, consequently in the counties we had heard from before you left this, you had a majority over him of five hundred and fifty votes. In the "Kingdom of Pike," I presume, they had a warm time. Yesterday, a gentleman was from there who brought dispatches from Hansen and Smith to you and others of this place; he told me the contents and desired me to open it. I did so and found a very warm letter from Hansen to you, desiring those who have ever entertained a friendship for him not to despair of his pros-

pects, etc.; and in which was a request that you should hand, for publication, a letter from Smith to you, which says that Shaw had obtained a great many of his votes from Greene, Madison and Missouri; and knowing the fidelity and correctness of the Judges appointed by the Commissioner's Court, he (Shaw) had thought fit to establish a mob poll, as he styles it, at which Shaw had received most all his votes; although Hansen was very anxious to have it appear in the paper of to-day, I have laid it away in the pigeon-hole and shall say nothing about it. He will be down Monday or Tuesday, he wrote you, when he can act for himself. Since you left this place, we have lost two citizens of our county, James Robinson (neighbor to mother) and General Hopkins, who will be buried to-day. Nothing of consequence has transpired in the office since you left.

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Accept my wishes for your health and prosperity.

Yours with esteem,

WM. P. MCKEE."

CHAPTER IX.

CONTEST BETWEEN HANSEN AND SHAW IN THE LEGISLATURE; HISTORIANS AT FAULT IN REGARD TO ONE REASON FOR UNSEATING HANSEN; HIS VOTE FOR UNITED STATES SENATOR NOTHING TO DO WITH IT; CONFIRMED IN HIS SEAT AT THE COMMENCEMENT OF THE SESSION; SHAW'S VOTE NECESSARY; THE CRY OF "THE CONVENTION OR DEATH;" ALL DEBATE STIFLED; HANSEN VOTES AGAINST THE RESOLUTION; DETERMINATION TO OUST HIM FROM HIS SEAT; COL. ALEXANDER P. FIELD; HIS RESOLUTION ADMITTING HANSEN TO HIS SEAT RECONSIDERED, AND SHAW ADMITTED; HIS VOTE FOR THE RESOLUTION CARRIES IT; GEN. NICHOLAS HANSEN; LETTER OF GOV. COLES NOTIFYING HIM OF HIS APPOINTMENT AS JUDGE OF PROBATE OF PIKE COUNTY; HANSEN'S LETTER TO COLES.

HANSEN had the certificate of election, but when the Legislature met the first Monday of December, 1822, Shaw came forward to contest his seat. It is said by Governor Ford and Governor Reynolds, and others, that Hansen was permitted to occupy his seat for the purpose of giving his vote for the re-election of Jesse B. Thomas, as United States Senator, who was a pro-slavery man, and afterwards turned out to put in Shaw who was a convention man. That does not appear to be the precise fact. The case of this contested election seems to have been decided on its merits and outside of the influence of any party feeling.[4] It was at an early period of the session, and before the question of a convention had been much agitated. The contest for Senator was a personal one, and the convention question was in nowise involved in it. Both

[4]See Pease, *The Frontier State*, 79.

candidates were pro-slavery men, and both became strong convention men. Thomas had the most strength and was elected over Judge John Reynolds. Hansen voted for Thomas, as between him and the other principal candidate, Reynolds, equally pro-slavery. I can find no sufficient evidence that Hansen was confirmed in his seat in the first instance, for the purpose of voting for Thomas. The only thing in that regard, which appears in all the proceedings, is a statement made in the debate in the house by Mr. Lowrey, of Clark, that he had heard Ford, of Crawford, a Thomas man, as well as a convention man afterwards, say that "*if Hansen were turned out Thomas would lose a vote*," which was undoubtedly the case, but which proves nothing further than that Hansen preferred Thomas to Reynolds, both holding precisely the same views. This view of the matter is supported by the fact that anti-slavery and anti-convention men voted both for and against Hansen* in the case of his contest with Shaw.

On the 2nd of December, 1822, the committee of elections of the House, to whom the matter was referred, reported *unanimously* in favor of Hansen's right to a seat, and the report was adopted by the House by a large majority. The fact of *unanimity* of the committee is good evidence that it was not a party question. Hansen having been thus confirmed in his seat, Shaw took his saddle-bags, mounted his horse and made his way back to Pike county, neither he nor anyone

*The election for Senator was held January 9th, 1823. Jesse B. Thomas received twenty-nine votes; John Reynolds, sixteen votes; Leonard White, six votes, and Samuel D. Lockwood two votes. Thomas received five majority over all. Hansen's vote was not therefore necessary to elect Thomas. All the Candidates were Convention men except Lockwood.

else ever dreaming that the matter could come up again.

It was not until after this contested election case was settled that the convention question came to be seriously considered. The members of the Legislature who had opposed the election of Governor Coles became embittered against him, after he had taken such radical ground in his message in regard to the abolition of the remnant of slavery existing in the State, and also in relation to the inhuman and disgraceful *Black Code*. This feeling culminated in a determination to change the fundamental law of the State. This purpose was the more inexcusable, from the fact that the question had never been mooted in the election of members to the Legislature. The leaders of the conspiracy to change the Constitution entered actively on their work. They commenced by cautiously sounding the members. To those whose pro-slavery sentiments were well known, the object to make Illinois a slave State was openly avowed; but to those who were not at first prepared to take such a step, other reasons for the call of a convention were urged as a pretext. The question was, could the requisite two-thirds majority be had in both Houses to pass a resolution to call a convention to "alter, revise and amend the Constitution." That was the great work to be accomplished—"*Hic labor, hoc opus est.*" In the senate there was no doubt that out of the eighteen members, twelve (two-thirds) were *solid* for the convention and slavery. But in the House the question was doubtful. Counting McFatridge of Johnson, and Hansen of Pike, as against a convention, two votes were to be obtained in some way to make the

requisite two-thirds. As the session wore on, the excitement increased and the convention men became desperate indeed. Their rallying cry was "The convention or death." Everything in the Legislature was shaped to effect final success. The convention question was paramount to all other business before the Legislature. Local bills in which individual members were interested, and upon the passage of which their political life depended, were unceremoniously laid upon the table, or held in the hands of committees, until the refractory or doubtful member yielded to the pressure. Offices in the gift of that body were held in abeyance, and promises of political preferment to those who sought distinction were abundant. Those who opposed the favorite measure were threatened and denounced. Legislative despotism ruled supreme; and the co-ordinate branches of the government, for the time being, were merged in the unlimited power exercised by the Senate and House of Representatives.*

The action of the convention party in the Legislature was to the last degree unfair, tyrannical and insulting. Fearing discussion and the exposure of their real purposes, they shut off all debate on the most vital and important question that could ever come before a Legislative body. In the Senate, Mr. Kinkade, of Lawrence, declared that it was due alike to the Senate and to the people, that the objects for which a convention should be called should be explained; but in accord with a previous understanding, not a single word was vouchsafed in reply; having the floor, he then proceeded to state the reasons of his opposition to the Convention Resolution, and openly charged that the

*Hon Wm. H. Brown's Paper before the Chicago Historical Society.

object in view was to make a slave constitution. He was at this point violently interrupted, called to order, and compelled to take his seat. In the House, so far as I am able to gather, no general discussion was allowed.

How were the two necessary votes to be had in the House? In looking over the ground the idea was conceived, that an advantage could be gained by passing a Convention Resolution, by a *joint vote* of the two Houses. The Senate, therefore, passed a resolution declaring that if two-thirds of all the members of both Houses should recommend to the people to vote for or against a convention, it would be in accordance with the requirements of the Constitution. Colonel Alexander P. Field, of Union county (who, in conjunction with Emanuel J. West, of Madison county), had taken the leadership of the pro-slavery and convention men in the House, introduced a similar resolution in the House, but from the fact, not so much that no construction of the Constitution could justify such a method of voting, as from the fact that such method would not give them any more votes, it was rejected by a vote of twenty to sixteen.

The Senate then passed the convention resolution by the required number of votes, but the House prudently permitted it to lie upon the table until the real strength of the convention men might be tested in its own body. To that end, Mr. West, of Madison, introduced a resolution, similar to that of the Senate, into the House. This resolution obtained twenty-two votes, Hanson voting for it, and McFarridge against it. Kinman of Greene, a convention man, voted in the negative

in order to move a re-consideration if it should be necessary. This affirmative vote would have made twenty-three, one less than was necessary. But *one* vote more, therefore, was necessary to accomplish the great object for which such a stupendous effort had been made. That *one* vital vote was wanting and the resolution failed. In the meantime McFatridge,* who had been an anti-convention man, through some unseen influence had changed front, and his vote, together with that of Hansen, now thought perfectly secure, would carry the measure through. Everything was now ready, and certain success seemed assured. On the 11th of February, 1823, the Senate resolution, which had been quietly lying on the speaker's table, was taken up for its final passage. The convention men were in great glee. They felt that their hopes were now to be realized, after so much labor and effort, so much coaxing and driving during the entire session. But

> "The best laid schemes o' mice and men,
> Gang aft a-gley:"

At the very pinch of the game, what was the astonishment and fury to find Hansen changing front and voting *against the resolution*. It is to be regretted that Hansen's course is neither very clear, nor very satisfactory in this regard. It was, therefore, *lost;* twenty-

*Mr. McFatridge was, I judge, of Scotch-Irish origin; a man about sixty years of age, of kind heart and generous disposition. He had fallen into the very general evil of the times, and drank more liquor than his legislative duties actually required. Late in an afternoon session a member moved an adjournment; Mr. McF., *in his chair*, opposed it. It was carried by a large vote, and the speaker declared the House adjourned. McFatridge, raising his voice above the noise occasioned by the general movement, exclaimed: "Mr. Speaker—Mr. Speaker,—you may adjourn the House, and be hanged, but old Billy McFatridge will remain in session until sundown, and look after the interests of his constituents, while you are *cavorting* at Copp's grocery and getting drunk on the hard earnings of the people." [*W. H. Brown's Paper read before the Chicago Historical Society.*]

three votes only being in its favor, instead of the necessary twenty-four. What was now to be done? A member who had voted with the losing side moved to reconsider, but the Speaker of the House, William M. Alexander, a convention man, decided, that according to all parliamentary rules and practices, it could not be done. An appeal from that decision was taken, and the Speaker was sustained by a vote of eighteen to sixteen, two members not voting. The resolution was therefore, defeated and apparently beyond the reach of resurrection; but with men wrought up to such a degree of excitement as the convention men were, there was no such word as "fail," even in the worst of causes. The "Convention or Death," was still the cry.

The indignation against Hansen knew no bounds. The members who had become convention men, and who had voted to confirm him in his seat, at the commencement of the session, were the most furious of all; and now was conceived and carried out a measure of revolutionary violence and madness, happily without a parallel in our history—a blot upon the fair escutcheon of our State, and the villainy of which "returned to plague the inventors." By the suffrages of his constituents, confirmed by a vote of the House, Nicholas Hansen had held his seat in the House of Representatives, from the very first day of the session; and after a contest, solemnly decided in his favor on the 9th day of December, 1822, that seat was held unchallenged and unquestioned by anybody. The convention men in the House, in this crisis of their affairs, proved themselves equal to the emergency which confronted them. On

the 12th of February, 1823, and nine weeks after the House had decided that Hansen was duly and legally elected, and after he had sat all that time without one question being raised as to his right to a seat, Colonel Alexander P. Field, of Union, made an extraordinary motion. It was no other than a motion to reconsider the Resolution of the House, adopted December 9th, 1822, declaring Nicholas Hansen to be entitled to his seat. He made a long speech in favor of this motion, going over questions which had been fully decided by the House when the contest was up. He did not state a single reason for the adoption of his motion which was worthy a moment's consideration; but it was simply the appeal of a desperate faction made through him, to bring members who might be supposed to have some ideas of conscience, up to a "sticking point." It seems that the friends of Shaw had set up a bogus poll, one independent of the legal voting place, where it was charged that eighty or ninety men from Missouri and other places had voted, and who had no qualification as electors. The House rejected all such votes when it came to decide the case. Field complained of this, and contended that these men, who had voted at the bogus poll, had only exercised a privilege—"A privilege," he exclaimed, "which when we cease to enjoy *I wish to cease to be a member of society.*" Continuing, he said, "that it was with astonishment and surprise he had heard gentlemen proclaim in the House that we, when adjudicating on questions of this kind, *cannot depart from the strict letter of the law, but are bound to observe it in all its niceties.*" Farther on he dwelt upon "the greatest privilege the Constitution conferred upon

the people— the right to vote," and concluded: "when a man approaches the polls, and exercises his dearest right, he never stops to make the inquiry, will my vote be rejected if I exercise it here? No; on the contrary he feels proud to think how far better his situation is over the person who is forced to *bow at the nod of an unfeeling despot and bear the chains of tyranny.*" Mather, of Randolph, and Churchill, of Madison, stated good reasons why the House should not disturb its former judgment, but the speech of Field did the business. The resolution which the House had adopted and which it was proposed to re-consider was as follows:

"*Resolved*, That Nicholas Hansen is entitled to a seat in this House."

The motion to reconsider was carried and the resolution was before the House for action. It was thought necessary, however, to base the action which the members of the House proposed to take on some pretext and put the case on some different ground from that on which it had been originally decided. Here "Mr. Turney presented the affidavit of Levi Roberts, dated January 28th, 1823, who certified that, *in his opinion*, Mr. Shaw received a majority of 29 of all the qualified votes of Pike County." This ex-parte affidavit, made by a friend of Shaw, then at Vandalia, and without notice and opportunity for cross-examination, stating no fact, but merely expressing an opinion, was deemed sufficient to answer a purpose which was to be accomplished in any event. A motion was made to strike out the words "Nicholas Hansen" in the resolution and insert the words "John Shaw," which motion was carried. In the interest of history I give the names of

those members who voted that Hansen was entitled to the seat at the commencement of the session, and that he *was not* entitled to it at its close: Alexander, of Pope, Campbell, of Wayne, Daimwood, of Gallatin, Davenport, of Gallatin, Dorriss, of Franklin, Emmitt, of White, Ford, of Crawford, Logan, of White, McFerron, of Randolph, West, of Madison, and Will, of Jackson.

When it was decided at the last moment that Hansen was to be put *out* and Shaw put *in*, the latter was at his home in Pike county, some one hundred and thirty miles distant, over a sparsely settled country. It was necessary to get Shaw to Vandalia at the earliest moment. The journey, going and coming would ordinarily occupy at least five days, but by relays of horses and hard driving it could be made in four. A special messenger was therefore dispatched to find Shaw and bring him to Vandalia in the shortest possible time, and he arrived there in season to perform the part allotted to him. After Shaw had taken his seat, another outrage had to be committed before the work in hand could be consummated. The vote of the House sustaining the speaker in an appeal taken from his decision, that a member of the constitutional minority could not move a re-consideration, was reconsidered. Then a member voting on the losing side moved a re-consideration of the last convention resolution, which was carried. All that was then required was the vote of Shaw to make the requisite twenty-four votes. That vote was given, and in that way the resolution was passed by a two-thirds vote of both Houses, authorizing the people of the State to vote on the proposition to call a convention to amend the Constitution at a gen-

eral election to be held on the first Monday of August, 1824.

As this outrage in unseating Hansen became a great factor in the stupendous contest which followed on the question of the Convention, a brief allusion to the man and his history may not prove uninteresting. Nicholas Han*sen* (not Han*son*, as his name has gone into history and legislative records), was a young lawyer, who settled at "Coles' Grove" (sometimes written "Colsgrove"), the first county seat of Pike county, now "Gilead," in Calhoun county, in 1820, where he taught school. He was commissioned Colonel of the 17th Regiment of the Illinois State Militia, August 11, 1821, by Gov. Bond. The county seat of Pike county was removed in 1823, from Coles' Grove to Atlas, a town situated on the Mississippi bottom, twelve miles west of Pittsfield, the present county seat of Pike. Hansen was of Dutch descent; a graduate of Union College and had been admitted to the Bar of New York before removing to Illinois. He was County Judge of Pike county in 1821-2, and was elected to the Legislature from Pike county in August, 1822, and at the same election that Edward Coles was elected Governor. After the removal of the county seat of Pike from Coles' Grove to Atlas, Hansen removed to the latter place. At a Fourth of July celebration at Coles' Grove, in 1823, Col. N. Hansen was the orator of the day. The following toast was drunk, with "nine cheers:" "Col. Nicholas Hansen, a member of our last Legislature, sacrificed on the altar of Slavery; may his services to his country be duly appreciated by the Republicans of Illinois."

Hon. Wm. H. Brown, in his admirable Paper on the convention struggle, read before the Chicago Historical Society, says that the effect of Hansen's equivocal position in the Legislature was such that after he returned home he closed up his business and left the State. In this he is mistaken. After the adjournment of the Legislature he returned to Atlas and became a Justice of the peace, and deputy clerk of Colonel William Ross, "who held nearly all the offices of Pike county." He was elected to the Legislature a second time from Pike and Calhoun counties in 1824, but resigned his seat. On the 28th of May, 1824, he was commissioned by Governor Coles as Brigadier General of the Third Brigade of the First Division of Illinois State Militia. July 5th, 1826, Governor Coles appointed him Judge of Probate for Pike county, as will be seen by the following letter. On the 5th of September, 1827, Governor Edwards issued an official order to General Hansen to enroll in the militia all persons subject to military duty at the "Lead Mines on Fever River or in that vicinity."

Letter of Governor Coles to General Hansen.

VANDALIA, July 5, 1826.

Dear Sir:—Your letter of May 23d, recommending Wm. Ross as a suitable person to be appointed Judge of Probate of Pike, has been received; and I now address you, not so much for the purpose of acknowledging it, as to make known to all whom it may concern, and especially to remove any misconception as to your conduct, that your letter is the only written or verbal communication I have received in relation to the person who should fill Mr. Hight's vacancy, and that I have not received a line or a word, or even a hint, from you or from any person else, that you wanted the office, or would accept it: but believing you better qualified than any other person in the county, and that while

you continue to hold the office of Recorder, that you could very conveniently and with some little profit, discharge the duties of Judge of Probate, I have determined to appoint you to that office, and herewith inclose your commission. I have been thus explicit in order that it should be understood how you, who recommended another, should yourself receive the appointment.

If it should not be agreeable to you to accept the office of Judge of Probate, you will be pleased to address me a letter to Edwardsville, where I shall go in a few days, and remain most of the warm and sickly season.

The death of my mother, which occurred last spring, will render it necessary for me to be in Virginia in January next, at which time her estate is to be divided, and it is necessary for me, as one of the legatees, to be there. This will compel me to set out in December, soon after the meeting of the General Assembly, at which time, if not before, I hope to have the pleasure of seeing you. I propose to return to this State in the spring by way of Philadelphia and New York.

With great respect and sincere regard, I am your friend,

EDWARD COLES.

GEN. N. HANSEN,
Pike County.

Col. Benjamin Barney, of Barry, Illinois, who was a cotemporary of Hansen, having become acquainted with him in October, 1825, at Atlas, says that he came from near Albany, N. Y., and from a place called "The Walnuts." Captain John Webb, one of the oldest citizens of Pike county, says he went to school to Hansen in 1820, and that he understood that he came from Warren county, N. Y. In the fall of 1829, a brother-in-law of Hansen's came to visit him and he went back with him to the State of New York, and he never returned to Illinois. Captain Webb says the last time he saw Hansen was in 1865, and that he died in 1872, at the age of ninety-one years. He was never

married. Col. Barney describes him as a man six feet high, well built, and of fine appearance. "He was a man of liberal education, of genial manners and well liked by the pioneers of Pike county. His only fault was a love of liquor."*

Gen. Hansen seems to have been a man of ability and of polished education. Though bred a lawyer in the New York school, which at that day meant something, he appears never to have practiced his profession in this state to any extent. Neither does he appear to have made the mark in life, which might have been expected from a man of his endowments, but left the State making no sign. I made an effort to find out something of his history after he went back to New York, but was unsuccessful.†

I have also in my hands a letter from Hansen to Governor Coles, dated Vandalia, December 23d, 1826, which was after Coles went out of office. It is written in a very neat and scholarly hand, and I give it herewith, as a letter not without a certain historical interest.

VANDALIA, Dec. 23, 1826.

Dear Governor:—I have delayed a little while in writing to you, waiting for something new and interesting, but, alas! I am where I begun, and can only say that Illinois is *Illinois*. Our legislature is yet harmonious, and though bountifully supplied with the gift of *gab*, has not yet brought forth anything sufficiently

*Judge William Thomas, of Jacksonville, who knew him well, says he was "an habitual drinker, but not a drunkard—a man well informed in regard to the history of the country and the leading politicians."

The pro-slavery men of Edwardsville were so enraged with Hansen, that after he was turned out of the House they burned him in effigy; but Hansen was revenged. The ringleader in the ceremony was one Swearingen, a Virginian, who was afterwards hanged in Mississippi.

†I am indebted to my esteemed friend, Judge Chauncy L. Higbee, of Pittsfield, Pike County, for much of the information I have obtained in regard to Gen. Hansen.

indicative of its character upon the future interests of our State. The Circuit Courts will undoubtedly be abolished, and in their stead we will have the Judges of the Supreme Court, without an increase. O.. T.... S.... means to make all Illinois for him, or else against him, placing his redemption and resurrection on the *vox populi*. No man refuses Edward Coles the character of an honest man and consistent politician; and it pleases me every day to hear men bear the strongest testimony to your real merits. To be short, the want of you is felt.

On the subject of the agency at Peoria, I have got Turney, Judge Browne, Mr. Forquer, and Judge Lockwood to write to Mr. Cook. Hamilton has got the protem appointment from Gen'l Clark. I am indeed desirous of succeeding, as it would benefit me individually; and enable me to serve my friends and punish my enemies.

I will write you again.

Your friend,

NICHOLAS HANSEN.

GOVERNOR COLES.

Hansen it seems at this time was seeking an office. Some of the pro-slavery men appear to have forgiven him for his course in the Legislature for two of them, Judge Browne and General Turney, joined George Forquer and Judge Lockwood in writing the congressman, at that day, Hon. Daniel P. Cook, in his behalf. It will be perceived that there is a charming frankness in the closing part of his letter, in which he says that the office he desires would enable him "*to serve his friends and punish his enemies.*"

CHAPTER X.

TRIUMPH OF THE CONVENTION MEN; THEIR INDECENT JOY; ACCOUNT OF THEIR MOB PROCEEDINGS, BY GOVERNOR FORD AND GOVERNOR JOHN REYNOLDS; ANTI-CONVENTION MEN APPALLED AT THE PRO-SLAVERY TRIUMPH, BUT IMMEDIATELY ORGANIZE TO DEFEAT THE RESOLUTION AT THE POLLS; STIRRING ADDRESS OF THE ANTI-CONVENTION MEMBERS OF THE LEGISLATURE TO THE PEOPLE OF ILLINOIS; THE SIGNERS OF THE ADDRESS; JUDGE GILLESPIE'S SKETCHES; OTHER SKETCHES; ALEXANDER P. FIELD; HIS CHECQUERED HISTORY.

THE joy of the convention men over this triumph outran all bounds. No consideration of decency or discretion could restrain them. An impromptu jollification was gotten up, not only to celebrate their hard-earned victory, but to insult and degrade their opponents. I will let Governor Ford describe this affair:

"The night after this resolution passed, the convention party assembled to triumph in a great carousal. They formed themselves into a noisy, disorderly and tumultuous procession, headed by Judge Phillips, Judge Smith, Judge Thomas Reynolds, late Governor of Missouri, and Lieutenant Governor Kinney, followed by the majority of the Legislature, and the hangers-on and rabble about the seat of government; and they marched with the blowing of tin horns and the beating of drums and tin pans, to the residence of Governor Coles, and to the boarding houses of their principal opponents, towards whom they manifested their contempt and displeasure by a confused medley of groans, wailings, and lamentations. Their object was to intimidate and crush all opposition at once."*

*Ford's History of Illinois, page 53.

Governor John Reynolds, who was a pro-slavery, as well as a convention man at the time, in his History, "*My Own Times*," thus speaks of the action of the House in turning out Hansen and of the conduct of the mob afterwards: "This proceeding in the General Assembly looked *revolutionary*, and was condemned by all honest and reflecting men. This outrage was a *death blow to the convention*. The night after the passage of the resolution there was at the seat of Government a wild and indecorous procession by torch-light and liquor, and that was also unpopular."

The members of the Legislature who had heroically but unsuccessfully, resisted the passage of the convention resolution, as well as Governor Coles and the anti-convention men of the State, then at Vandalia, were appalled at the pro-slavery triumph.

The convention men, certain of the success of their schemes at the polls, were arrogant, insulting and defiant. Such was the apparent strength of the pro-slavery and convention men that there was scarcely a ray of light in the gloom that enveloped the cause of freedom. There were, however, some courageous hearts who determined to accept the gauntlet which had been thrown down. As soon as the Legislature adjourned, Governor Coles invited all the principal anti-convention men of the State, who were then at Vandalia, to meet him at the Governor's room to consult upon the course to be adopted in view of the late action of the Legislature. Fully appreciating the supreme importance of the question which had been thrust upon them, and animated by great impulses, they determined upon an immediate organization, and

to resist at the very threshold the conspiracy to make Illinois a slave State, and measures were taken to accomplish their purposes. The first thing to be done was to have the members of the Legislature, who voted against the convention scheme, issue an address to the people of Illinois. This address, which was undoubtedly drawn up by Governor Coles, unmasked the purposes of the conspirators to make a slave constitution, and exposed all the various devices and means that had been resorted to to accomplish their purpose. It was an impassioned appeal to the people to rise up in their might and save the State from the greatest shame and disaster that could ever be visited upon any people. This address, now read after a period of nearly sixty years, cannot but excite the most stirring emotions. Speaking of slavery it says: "What a strange spectacle would be presented to the civilized world, to see the people of Illinois, yet innocent of this great national sin, and in the full enjoyment of all the blessings of free government, sitting down in solemn convention to deliberate and determine whether they should introduce among them a portion of their fellow beings, to be cut off from those blessings, to be loaded with the chains of bondage, and rendered unable to leave any other legacy to their posterity than the inheritance of their own servitude! The wise and the good of all nations would blush at our political depravity. Our professions of republicanism and equal freedom would incur the derision of despots and the scorn and reproach of tyrants. We should write the epitaph of free government upon its tombstone."

After dwelling upon the moral aspects of slavery,

the address argues against its introduction on account of its inexpediency, and closes with the following eloquent appeal: "In the name of unborn millions who will rise up after us, and call us blessed or accursed, according to our deeds—in the name of the injured sons of Africa, whose claims to equal rights with their fellow men will plead their own cause against their usurpers before the tribunal of eternal justice, we conjure you, fellow citizens, TO PONDER UPON THESE THINGS."

There were fifteen members of the Legislature, Senators and Representatives—brave, conscientious and God-fearing men—who signed this noble and timely Appeal to the people of Illinois. I give all their names, for they deserve to be written in letters of gold on the tablets of the State's history. The signers are:

RISDON MOORE,
WILLIAM KINKADE,
GEORGE CADWELL,
ANDREW BANKSON
JACOB OGLE,
CURTISS BLAKEMAN,
ABRAHAM CAIRNES,
WILLIAM LOWERY,
JAMES SIMS,
DANIEL PARKER,
GEORGE CHURCHILL,
GILBERT T. PELL,
DAVID MCGAHEY
STEPHEN STILLMAN,
THOMAS MATHER.

There were three other members of the Legislature who voted against the convention resolution but who did not sign this appeal. They were Robert Frazier, a Senator from Edwards county, Raphael Widen, a Representative from Randolph county,[5] and J. H. Pugh, a Representative from Bond county. What influenced them not to join in this Appeal is not now known, but it is probable that they might have left Vandalia before the paper had been drawn up.

[5]Raphael Widen voted *for*, not *against*, the convention resolution. See *House Journal*, 1822-1823, pp. 275-276.

I wish it were in my power to do something to rescue from oblivion the names of these brave and true men in the Legislature, who fought out the battle against the introduction of slavery into the State, and whose labors and influence contributed so much to save our commonwealth from one of the most appalling calamities ever visited upon a people. They were men of no particular distinction in their day and generation, and there was not a man among them of any great prominence, or distinguished by talent or eloquence. But they had great convictions and true courage, and during all the long and fearful conflict it could be said of them,

"No dangers daunted and no labors tired."

Earnest as these men were, and devoted and patriotic as they were, yet it is evident that they "builded better than they knew." It would have seemed almost impossible in that day to comprehend the stupendous consequences which would have resulted from the success of the slave party.

Through the kindness of friends in different parts of the State, I have been able to obtain some information in regard to these anti-convention men in the Legislature. It is much to be regretted that it is not more full.

The two members from St. Clair county, who voted against the convention resolution, were RISDON MOORE and JACOB OGLE. Mr. Moore was a member of the House in the Territorial Legislature in 1814 and 1815, of which he was the Speaker, both sessions. Born in Delaware in 1760, he served in the Navy for a short time toward the close of the Revolution. His father, Charles Moore, also served in the Revolution. After the close of the war, Risdon learned the trade of a black

smith. In 1789, he moved to Guilford Court House, N. C. He there married a daughter of Col. Wm. Dent, and in the following year moved to Hancock county, Georgia, and settled near Sparta. He resided twenty-two years in Georgia and raised a family of nine children. He was a member of the Georgia Legislature from Hancock county, in 1795 and 1796, and also in the years 1808 and 1809. He was brought up an Episcopalian, but left that church to join the Methodist, a denomination with a more marked hostility to the institution of slavery, which he held in abhorrence. In 1812 he moved from Georgia to St. Clair county. His own family with his white servant, whom he brought with him, numbered fifteen, and his colored people numbered eighteen. He was distinguished for his great kindness to the colored people, and he frequently said that he had never inflicted punishment on a slave. He was a member of the lower house of the legislature from St. Clair county, from the 1st to the 5th General Assembly—1818 to 1826. He was a most vehement opponent of the Convention Resolution, and he and George Churchill, the anti-convention member from Madison county, were burned in effigy in Troy, in that county.* Mr. Moore was a strong Adams man in 1824

*It is hard to believe at this day that two such men as GEORGE CHURCHILL and RISDON MOORE were burned in effigy in what is now the staid and sober county of Madison for resisting the introduction of slavery into the State in 1823-4. Governor Koerner says such was the fact, and Judge Gillespie confirms it. He says that the Rev. Jesse Renfro now living at Troy, was present and saw the two men burned in effigy. It was in this same county of Madison, at Alton, on the night of the 7th of November, 1837, that Elijah P. Lovejoy was murdered by a mob for attempting to establish an anti-slavery newspaper in that city. Madison county became afterwards a strong anti-slavery county, and her people one of the most lawabiding in the State.

"Humanity sweeps onward,
Where to-day the Martyr stands,
On the morrow crouches Judas,
With the silver in his hands."

and in 1828. He was once or twice a member of the County Court, and was called Judge Moore, to distinguish him from his cousin, Risdon Moore, a democrat and a Senator from St. Clair county from 1828 to 1830. Judge Moore was a man highly respected in every walk in life, and always a prominent member of the Methodist Church. His numerous descendants are all of the highest respectability. He settled about four miles east of Belleville, at what was at that time called the "Turkey Hill Settlement."

JACOB OGLE, born in Virginia, was the son of Capt. Joseph Ogle, of Virginia, who was a soldier of the Revolution. Both father and son came to what is now Monroe county, in 1785; and they moved to a point near where O'Fallen is now situated, in St. Clair county, on a creek named after him, Ogle's creek, in 1821. Jacob Ogle was a "Ranger" in 1812. They were both leading members of the Methodist Church. In addition to being a member of the "Convention Legislature," in 1830 Jacob Ogle was elected to the lower house of the General Assembly, from St. Clair county. He seems to have held no other position except Justice of the Peace. He was a well-to-do farmer, highly respected and intelligent. He died in 1844, aged seventy-two years.

RAPHAEL WIDEN, who, as a member of the House from Randolph county, voted against the Convention Resolution,[6] was a native of Sweden, but left there when but eight years old for France, where he was educated for a Catholic priest. He emigrated from France to the United States in 1815. He married Miss Frances Lalemier in Cahokia, in 1818, and died of

[6]See footnote, *ante*, 86.

cholera, in Kaskaskia, in 1833. His widow afterwards married Capt. E. Walker, and she died in Chester, the present county seat of Randolph, in 1874. He has a son, Wm. S. Widen, and a daughter, the wife of John L. Edwards, both of whom live in Chester. Mr. Widen was a member of the State Senate, from Randolph county, from 1824 to 1828.

ANDREW BANKSON was first elected a Senator from Washington county in 1822. He voted against the Convention Resolution. He was re-elected to the Senate in 1824 and served till 1826. He settled in St. Clair county, on Silver Creek, four miles south of Lebanon, in 1808 or 1810, from whence he must have removed to Washington county. In 1812 he was Colonel of the Rangers. He was a Captain in the Black Hawk war in 1832. Removing from Illinois he settled in Iowa Territory, some distance west of Dubuque. He was a member of the Iowa Legislature and held other offices. He was a native of Tennessee and died in Wisconsin, in 1853, while visiting a son-in-law.

ABRAHAM CAIRNES was a member of the House from Lawrence county, and voted against the convention resolution. He settled in Crawford county in 1816, and in that part of it afterwards embraced in Lawrence county, which was organized in 1821. He was a member of the House in the previous General Assembly, in 1820-2, from Crawford county. He does not appear to have been a member of the Legislature after 1822-4. I can get but little information in regard to him, further than that in the canvass he was an active and efficient opponent of the Convention Resolution. He removed from Lawrence county to some point on the Mississippi River, in 1826. He was a native of Kentucky.

DAVID MCGAHEY was a member of the House from Crawford county. He settled in that county in 1817 and continued to reside there until his death in 1851. He was re-elected to the House in 1824 from Crawford, and from Lawrence and Crawford in 1832, and elected a Senator from the same counties in 1834. His son, James D. McGahey, was elected to the House from Crawford at the same time, and died during his term of service. Though a Tennessean, Mr. McGahey was a strong opponent of slavery, and was one of the twelve members of the House who voted against the Convention Resolution. From the number of times he was elected to the Legislature it is evident he enjoyed the confidence of the people to a high degree.

WILLIAM KINKADE settled in what is now Lawrence county in 1817. He was a member of the State Senate from Wayne and Lawrence from 1822 to 1824, and voted against the Convention Resolution. When the question was up before the Senate, he demanded of the friends of the resolution to define their position, as the people had a right to know whether or not their object in calling a convention was to introduce slavery into the State. As the convention men had determined in caucus to permit no discussion, they sat silent in their seats and made no response. Mr. Kinkade then commenced a bold and aggressive speech, and charged on the convention party a purpose they dared not avow. As he was treading on dangerous ground, he was immediately called to order. Lt. Governor Hubbard, the presiding officer of the Senate, unhesitatingly applied the gag, and he was not permitted to proceed. He only served once in the Legislature.

Mr. Kinkade was appointed postmaster at Lawrenceville by John Quincy Adams and held the office many years. He was a Tenneesean by birth. He died in 1846, leaving two sons, one of whom, A. G. Kinkade, now lives in Richland county; the other son only survived his father for a few years.

ROBERT FRAZIER, the Senator from Edwards county, who voted against the Convention Resolution, had been a Senator in the previous Legislature from the same county, and elected in 1820. Unfortunately I have not been able to find out much in regard to him. He was a farmer, and lived in that part of Edwards which was afterward set off to Wabash. He afterward took up his residence in Edwards county, about four miles east of Albion, and died on his farm. He was a Kentuckian by birth. "Frazier's Prairie," in Edwards county, was named after him.

THOMAS MATHER, of Randolph county, was the most active and efficient opponent of the Convention Resolution in the House of Representatives. He was one of nine members of this House who had been members of the House in the preceding legislature. Thomas Mather and his colleague Raphael Widen, Risdon Moore, of St. Clair, and Abraham Cairnes, of Crawford, were the only members of the House, in the "Convention Legislature," who were opposed to the Convention Resolution, who had been members of the previous House. Mather was therefore an "old member," and from his experience and ability he naturally became the leader of the opposition. In the campaign which followed the adoption of the Convention Resolution Mr. Mather bore a conspicuous part in the public

discussion against the measure and rendered a great and valuable service to the cause. A native of Connecticut, he came to Illinois and settled in Kaskaskia in 1818, and engaged in mercantile business. Becoming interested in political affairs, two years later 1820, he was elected a member of the House of Representatives of the General Assembly, from Randolph county, in conjunction with Raphael Widen. He was again elected to the House in 1822, and re-elected in 1824. Governor Coles appointed him an aid-de-camp on his staff, and he ever afterwards bore the title of Colonel. He was elected Speaker of the House in the legislature elected in 1824, and served during the first session. He resigned the speakership at the end of this session, and David Blackwell, of St. Clair, was elected in his place for the second session. He was again elected to the House from Randolph in 1828, in conjunction with Hypolite Menard. In 1832 he was elected Senator from Randolph and Perry, and resigned in 1834. His legislative service was a long and honorable one and useful to the State. Col. Mather held no political position after he resigned as Senator in 1834, but became identified with many public enterprises. He became widely known in the State as the President of the State Bank of Illinois, and ever maintained the highest character for integrity, liberality, and public spirit. He was the only member of the convention legislature I ever knew, except John Shaw. Though a resident of Springfield, he died in Philadelphia, March 28, 1855. The last time I met him was a little while before this date, at the Astor House, New York City. He was then in very bad health. His widow, now over

eighty years of age, still survives him, and resides at Springfield.

JONATHAN H. PUGH represented Bond county in the Legislature, and voted against the call of the Convention. He afterwards removed to Springfield, where he figured in politics and at the Bar. He was reputed to be a very fine lawyer, but died at an early age, universally respected. He ran for Congress as a Whig in 1832.

Doctor GEORGE CADWELL, first physician of Morgan county, was born the 21st of February, 1773, in Wethersfield, Connecticut. He received his literary education at Hartford, his medical education at Rutland, Vermont. He was united in marriage with Miss Pamelia Lyon, daughter of Hon. Matthew Lyon, on the 12th February, 1797, in Vergennes, Vermont.

Gov. Reynolds, in his history of Illinois, says: "In the year 1799, sailed down the Ohio river Matthew Lyon and family, with John Messenger and Dr. George Cadwell and their respective families. The last two named were the sons-in-law of Lyon, and all settled in Kentucky, at Eddyville. Messenger and Dr. Cadwell left Eddyville in 1802, and landed from a boat in the American Bottom, not far from old Fort Chartres. They remained in the Bottom for some time, and Dr. Cadwell moved and settled on the Illinois bank of the Mississippi, opposite the Gasharit Island, and above St. Louis. He was quite a respectable citizen—practiced his profession, and served the people in various public offices. He was justice of the peace and county judge for many years in St. Clair county, and in Madison also after its formation. Since the estab

lishment of the State Government he served in the General Assembly from Madison and Greene counties, at different times, and always acquitted himself with satisfaction to the public. After a long life spent in usefulness, he died in Morgan county quite an old man. He was moral and correct in his public and private life, and left a character much more to be admired than condemned; was a respectable physician, and always maintained an unblemished character."

The doctor was elected State Senator from the county of Madison in 1818, and served the full term of four years. In the fall of 1820, he removed into the territory subsequently included in the county of Morgan—still in his Senatorial district; he settled in the point of timber known as Swinerton's Point, east of the Allison Mound, where he remained with his family until he died. In 1822, he was elected to the Senate from the county of Greene, and attached territory, and voted against the convention resolution. In dividing the Senators elected from nine districts into two classes, the seats of one to be vacated at the end of two years, and the other at the end of four years, the doctor's term was made to expire at the end of two years, so that he served but one session. He died 1st of August, 1826, from an attack of bilious fever.*

DANIEL PARKER, who was the senator from Crawford and Clark counties, was a Baptist minister who emigrated from Tennessee. He resided at Palestine, Crawford county. He removed from Illinois to Palestine, Texas (date not known), and for some time had charge of a church at that place.

WILLIAM LOWREY, representative from Clark coun-

*Judge Wm. Thomas, in the Jacksonville *Journal*.

ty, voted against the Convention Resolution, and resided in what is now Edgar county, a few miles north of Paris. He was from Kentucky and had been an associate judge of Greenup county. After the organization of Edgar county he served for a time as circuit clerk of that county. Sometime after the year 1830 he removed to DeWitt county, Illinois, where he died.

JAMES SIMS was born in Virginia and was taken by his parents to South Carolina, where he was married. From thence he moved to Logan county, Kentucky. Thence to St. Clair county, Illinois, and from thence to Sangamon county in 1820. He was the first Representative from Sangamon county in the State Legislature, and elected in August, 1822. From Sangamon county he removed to Rock Creek, in what is now Menard county, and from thence to Morgan county. He was a Methodist preacher and formed the first circuit ever organized in Sangamon county.

STEPHEN STILLMAN, who was the first Senator ever elected from Sangamon county, was born in Massachusetts and emigrated with his mother, the widow of Benjamin Stillman, to Sangamon county, Illinois, in the spring of 1820. The family settled near Williamsville. A post office was established there and Mr. Stillman was made postmaster. It was the first post office north of the Sangamon river. Mr. Stillman died in Peoria between 1835 and 1840. His brother Isaiah Stillman was in command of a body of troops in the Black Hawk war in 1832, at a point in Ogle county, which has ever since been known as "Stillman's Run."

GILBERT T. PELL was a member of the House of Representatives from Edwards county, in the Conven-

tion Legislature. He was the son-in-law of Morris Birkbeck, and very naturally was an anti-slavery man, who voted against the convention scheme. He continued to live in Edwards county some time after the death of Mr. Birkbeck, and was elected to the lower House of the legislature in 1828. He afterwards left the State, and dying subsequently, his widow removed to Australia.

My old and valued friend, Judge Joseph Gillespie, of Edwardsville, who still remains among us in all his physical and intellectual vigor, honored, respected and beloved, and who is a connecting link between the earlier and later Illinois, and whose knowledge of all of our earlier public men surpasses that of most men in the State, has been kind enough to give me some sketches of the members of the "Convention Legislature," as it was called. The members of the House from Madison county who voted against the convention were Curtiss Blakeman and George Churchill. Of Captain Blakeman he says:

"He emigrated from New York in 1817, and along with several other sea captains made a settlement in Madison county, to which they gave the name of "*Marine*." They displayed great taste in the selection of a location. It is my deliberate conviction that for beauty of scenery and fertility of soil it has no equal. * * * * * * * Captain Blakeman was always an outspoken abolitionist and became a member of a society that was formed in Edwardsville as early as 1820, in aid of the anti-slavery cause. Opposition to slavery was his ruling passion, and he felt it to be his duty to strike at it whenever it showed its head. He took no part in politics except for the purpose of fighting slavery. He commanded the ship that took General Moreau to Europe, who went to join the allied armies against Napoleon in 1813. He said he took the liberty to ask the General who he

thought was the greatest captain in Europe. Moreau unhesitatingly answered, saying that Bonaparte was the greatest general who ever lived."*

GEORGE CHURCHILL was another member from Madison county, and opposed the call of the convention. He was a thorough paced abolitionist all his life. By profession he was a printer, and was connected with the first paper published in St. Louis. He was from one of the eastern States. Coming to Illinois, he carried on farming during the rest of his life. He was frequently elected to the Legislature, and was accounted the best working member we ever had. He toiled like a drayhorse, but never made a speech of more than five minute's length. That, however, contained all that ought to be said. He entered into no rings or cliques, but went right along with his work, and was never out of his seat when he ought to be in it. He was never a candidate and never wanted office. If elected, he would serve, and that was all there was about it. He was a perfect walking encyclopedia of political knowledge. It was as dangerous to attack him on a question of political history as it was John Quincy Adams. He was never married. In person he was badly formed, and unprepossessing in appearance; his complexion was sallow, his eye lusterless and expression dull. But he possessed great knowledge and sense.†

*General Moreau was invited to return from the United States to join the allied armies against Napoleon by the Emperor Alexander of Russia. It was but a few months after his frank conversation with the American sea captain that standing by the side of the Emperor at the battle of Dresden he was mortally wounded by a French bullet on the 27th of August, 1813. He died on the 2d of September following. The star of the great Napoleon, whom he had so highly complimented in his conversation with Captain Blakeman, and in fighting against whom he fell, had now begun to pale. The dreadful disasters to Bonaparte's armies at Dresden, at Leipzig and at Lutzen and Bautzen were only relieved a short time afterwards, when the great soldier commanding in person fell upon and nearly destroyed the division of Wrede's Bavarians at Hannau. General Moreau was in the United States from 1804 to 1813. He lived in great quiet and it might almost be said in obscurity, cultivating his acres like Cincinnatus. He was one of the great soldiers of France. Some of the French writers say that as a tactician he was the equal if not the superior of Napoleon, but on the field of battle he was only in the second rank.

†GEORGE CHURCHILL was a member of the House of Representatives in the General Assembly from Madison county from 1822 to 1824, 1824 to 1826, 1826 to 1828, 1828 to 1830, 1830 to 1832. He was a Senator from Madison county from 1838 to 1842, making a total service in the Legislature of fourteen years.

It is a melancholy reflection that after a period of less than sixty years so little is known of these members of the legislature who fought the battle of freedom and who rendered a service to the State and to humanity which can never be fully measured. I can appropriately repeat here what I once said on a cognate subject. In the wild and rapid whirl of events in our country we are too apt to neglect or forget history. "Humanity sweeps onward," but the recollections of men and the histories of peoples and nations are too often buried in forgetfulness and oblivion. To rescue a name worthy to be remembered and honored, to recall great events, to look back upon the deeds of those gone before us, are objects worthy of all our consideration.

It is a somewhat remarkable fact, and in the highest degree honorable to the parties, that out of the eighteen members of the legislature who voted against the Convention Resolution, at least ten of them were from the slave-holding States.*

Their names are:

RISDEN MOORE, from Georgia.
ROBERT FRAZIER, from Kentucky.
WILLIAM KINKADE, from Tennessee.
ABRAHAM CAIRNES, from Kentucky.
DAVID MCGAHEY, from Tennessee.
JACOB OGLE, from Virginia.
WILLIAM LOWERY, from Kentucky.
DANIEL PARKER, from Tennessee.
JAMES SIMS, from South Carolina.
ADNREW BANKSON, from Tennessee.

In addition to the sketches which Judge Gillespie gave me of certain members of the legislature, who

*I am indebted not only to Judge Gillespie for much valuable information in respect of these anti-convention members of the Legislature, but to Judge Wm. Thomas, of Jacksonville; Governor Koerner of Belleville; Hon N. W. Edwards, of Springfield; Hon. Henry Dodge Dement, Secretary of State; Charles Churchill, Esq., of Albion; Hon. George Hunt, of Paris; Hon. Wm. H. Snyder, of Belleville; Hon. T. B. Needles, of Nashville, and my former colleagues in the House of Representatives, Hon. Wm. R. Morrison, of Waterloo, and Hon. James C. Allen, of Olney.

voted against the call of the convention, he has sketched some of the leading convention men. They had the advantage of the anti-convention men in the body, not only in the numbers, but in ability and political experience. In the Senate there was Theophilus W. Smith, afterwards Judge of the Supreme Court; William Kinney, afterwards Lieutenant Governor; Joseph A. Beaird and Thomas Sloo, Jr. In the House were William M. Alexander, James A. Whiteside, Emanuel J. West, Zadok Casey, formerly Lieutenant Governor and member of Congress, Col. Alexander P. Field, General James Turney, afterwards Attorney-General of the State. I quote Judge Gillespie: "Theophilus W. Smith was Senator from Madison, and favored the call of a convention. He was an able lawyer and soon obtained a seat upon the bench of the Supreme Court of Illinois, where he would have figured pre-eminently if he had kept aloof from politics, but this he would not; he was "up to the eyes" in every political intrigue of the day. He was from the City of New York, and got his political education in Tammany Hall, and must have been an adept in the trickery for which that institution was famed, even in that early day. Everything done in our political affairs that was rash, reckless and unprecedented, was laid to Judge Smith's charge."

Continuing his sketches, Judge Gillespie says:

"I was acquainted with William Kinney from St. Clair county. He was a pro-slavery man, and voted and worked for the call of a convention. He was one of the shrewdest men I ever knew, full of wit and sarcasm, and could extricate himself from a dilemma admirably. His educational advantages had been very limited, so much so that he employed the little i as a personal

pronoun, and, when he was rallied about it, said that his reason for doing so was that Governor Edwards had used up all the big I's, and left nothing for him but the little ones. He filled very creditably the office of Lieutenant Governor and Internal Improvement Commissioner of the State. He had great power over men. He was a "hard shell" Baptist preacher, and had absolute dominion over his flock, spiritually and politically. Kinney was a very bold man, and would grapple with any foe. He wrote and published a criticism on Dickens' notes on America, in which, I think, he made the latter look very small. Kinney and John Reynolds were political rivals, and both lived in the same county, and were of the Democratic faith. Reynolds got the better of Kinney, although the latter was a man of the best natural parts. It was impossible for Kinney to "trim;" he had to be an ultra. Reynolds, on the other hand, could shift his sails to meet every changing breeze, and in that way he retained a portion of the democracy, and got the whole of the opposition, which gave him the ascendency. Kinney was like a cat, he invariably fell upon his feet. John M. Peck, a very talented New England preacher, once thought he had Kinney down. The latter was in the habit of abusing the Yankees, but, on visiting New England, became favorably impressed with its people, and on his return home extolled them in the highest terms. Peck, hearing of this, thought he would triumph over the Governor, and remarked that he understood that his views about the Yankees had totally changed. The Governor said that they had undergone a *partial* change. He said he used to believe that the Yankees were *all mean*, but now he was satisfied that they had *some good* ones, but they kept the good ones at home, and sent only the mean ones out West.

James Turney I knew but slightly. He represented Washington county, and I think removed to Green county. He was elected Attorney-General. He was a lawyer, by profession, not supposed to be very deeply read, but succeeded very well by the force of his native abilities. I think he was from Tennessee, and died a long time ago.

Emanuel J. West was something of a character. He was a democrat, and in favor of slavery. He was a splendid conversationalist, and possessed of fine manners, and to these qualities

he owed his election at that time when public opinion ran so strongly in opposition to his political professions. West was born, I think, in Delaware, but went to the Island of Teneriffe.

He reached Illinois about 1818, and settled on a beautiful farm, about seven miles northwest of Edwardsville, which he christened "Glorietta." He was appointed Minister to Mexico by General Jackson, but died before reaching his post.

He was passionately fond of politics, and was, consequently, not a success as a farmer.

Mr. West had few superiors in conversation. He was absolutely charming in that line. If he had lived he could have figured in public life. I think the department of diplomacy suited him.

ALEXANDER P. FIELD, of Union County, was a native of Kentucky, and was the nephew of Nathaniel Pope, who was Secretary of the Territory of Illinois, afterwards delegate in Congress from the Territory, and then Judge of the United States District Court for the State of Illinois. I was well acquainted with Field, and practiced law in the same circuit with him for many years. He was a very powerful and successful criminal lawyer. The first time I ever saw him was when he was canvassing for General Jackson. Breese was speaking in opposition to him. Breese was an Adams man. They afterwards changed places: Field deployed as an Adams man and Breese as a democrat. The debate was a very able one. Field was afterwards appointed Secretary of State and held the office for many years, though the State was democratic. He was legislated out of office on account of his politics. He removed to New Orleans before the war, where he distinguished himself as a criminal lawyer. An outspoken opponent of secession, he fell under the displeasure of the rabble of the city, and he was constantly in danger of losing his life. He told me, after the war was over, that before the Union forces got possession of New Orleans, he seldom laid down at night expecting to be alive in the morning. Infuriated crowds would beset him at every turn whenever he left his house, threatening him with death."

This is the first appearance in public life of Alexander P. Field, who represented Union county, then one of the most important counties in the State. He

was a lawyer by profession. He afterwards assumed a good deal of importance in official positions in Illinois and elsewhere. He was a member of the Lower House in the Legislature from Union county from 1822 to 1828. From 1828 to 1830 he represented Union, Johnson and Alexander counties. He was Secretary of State of Illinois from 1828 to 1840, when he was legislated out of office, and finally removed by judicial proceedings. After the election of General Harrison he was appointed Secretary of Wisconsin Territory in 1841, and it was then that I first knew him. Some years afterwards he removed to St. Louis, and then to New Orleans, and was in the latter city at the breaking out of the war. He was regarded as a Union man, though on the arrival of Farragut's fleet in 1862, he seems to have been driven by the threats of the mob into publishing a card intending to convey a different impression. As soon as he was safe from personal violence he published a second card, repudiating the first one in bold and defiant language and ever after that stood in the front ranks of the Union men.

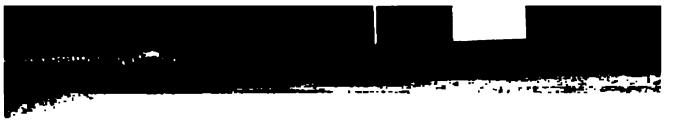
At the opening of the 38th Congress, December 7, 1863, Col. Field (in conjunction with his colleague, Thomas Cottman) was put on the roll of the House as a member of Congress from Louisiana. They both voted on preliminary questions and for Speaker, but after the organization was perfected the House refused to swear them in as members, and subsequently decided that they were not entitled to seats. Col. Field made an able speech in support of his claim. In answer to suggestions touching his loyalty, he made an eloquent and indignant protest: "I have always been a loyal

man. I fought against secession to the utmost of my power. I endangered my life for months and months. I have never been anything else than a loyal man, and I hope that I never will be. I will stand by that flag wherever it floats, and when I die I hope it will be in that country over which it waves." It afforded me pleasure in this connection to speak a few words in vindication of Col. Field. I quote from the Congressional Globe:

"MR. WASHBURNE, of Illinois: The attention of the House has been called to a card said to have been published in New Orleans by the gentleman from Louisiana (Mr. Field), about the time of the surrender of the city. I have not seen that card, but I desire to bear a word of testimony in regard to the gentleman who claims a seat here, from Louisiana. He was formerly a respected and influential citizen of Illinois, long and well-known for his patriotism and ability. I have known him for nearly a quarter of a century, and it affords me pleasure to speak from my personal knowledge in this regard. I received a letter from a distinguished citizen of Illinois who has been long in New Orleans, in relation to this claimant. He states that he was always one of the most loyal men, in that State, to the flag of the Union. He commended him to me for devotion to the Union under the most trying circumstances. That is all I desire to say. I have made the statement in justice to the claimant for a seat upon this floor, and what I believe to be due to truth and justice."

The resolution paying the claimants passed by a large majority. The Illinois delegation (with one exception) believing in its propriety, and out of sympathy for an old Illinoisan, voted for it. Hon. J. C. Allen made a strong speech in favor of the resolution.

Col. Field was a man of striking personal appearance, tall and well proportioned, of polished manners, and possessed rare conversational powers. As a lawyer



he was particularly successful in criminal cases. After the war he became Attorney-General for the State of Louisiana, and died in 1877 at New Orleans, after a long and painful illness. From a "Convention man" he became a "Jackson man," and then a prominent and influential Whig, and dying at last as a loyal man, and, as he expressed it, "where the flag of his country waved." Many old settlers of Illinois, his contemporaries, forgetting and forgiving his course on the Convention question, will always have a warm place in their memories for the gifted "Aleck Field."

CHAPTER XI.

ACTION OF THE CONVENTION MEN; THEY ISSUE AN ADDRESS TO THE PEOPLE; COL. THOMAS COX, CHAIRMAN OF THEIR MEETING; THE WEAKNESS OF THE "ADDRESS;" NOTICE OF COL. COX; EARLY INCIDENTS IN IOWA TERRITORY; THE BATTLE OF BELLEVUE; ILLINOIS DOUGH-FACES OF THAT DAY IN CONTRAST WITH MR. CRAWFORD; HIS LETTER TO GOVERNOR COLES; THE FIRST CONSTITUTION A GOOD ONE; CAUSE OF THE DISCONTENT OF THE PEOPLE; EMIGRATION PASSING THROUGH THE STATE.

The convention men anticipated their opponents in an address to the people of Illinois. At a "very large and respectable meeting of citizens from all parts of the State," which was held immediately after the adjournment of the legislature (the day before the "Appeal" of the other side was issued), to express their views relative to the Convention Resolution, Colonel Thomas Cox,* of Sangamon county, was chairman of

*Col. Thomas Cox was one of the leading men of his day in Illinois. He was not a member of the "Convention Legislature," but he was at Vandalia during its session, and one of the most prominent and influential of the great number of citizens of the State, who visited the seat of Government, to aid in the passage of the Convention Resolution. He resided at Kaskaskia before Illinois was constituted a territory, and it was at his house in Kaskaskia, that the first Territorial Legislature met, on the 25th day of November, 1812. It did not take a very large house to accommodate this body, for the Legislative Council consisted only of *five* members, and the House of Representatives of *seven* members. He afterwards removed to Union County, and was a member of the Senate in the first State Legislature. He was for a long time the Register of the United States Land Office at Springfield, but charges were made against him, which lost him his office. In 1836 he obtained a contract for the survey of the public lands in that part of Wisconsin Territory which, in June, 1838, was constituted Iowa Territory. He settled on the Maquoketa River, in Jackson county, and in 1838 was elected a member of the House of Representatives to the first Territorial Legislature. He was re-elected in 1839, and became Speaker of the House. He was again elected in 1840. I met him in the month of April of that year, at Bellevue, the county seat of Jackson county, and a few days after the desperate and bloody fight which had occurred at that place. A gang of murderers, horse thieves, counterfeiters and black-legs, had got practical control of that town, and had become so powerful as to defy the legal authorities. A *posse* was called out to make arrests, and Col. Cox assumed command of the force that had assembled from all parts of the county. The outlaws entrenched in the house of the ringleaders, determined on a desperate

the meeting. At this meeting seven of the most prominent convention men of the State then at Vandalia, were appointed a committee to draw up resolutions and an address on the subject. This committee consisted of John McLean, afterwards United States Senator; Senator Theophilus W. Smith, Emanuel J. West, and Thomas Reynolds, afterwards Governor of Missouri; William Kinney, afterwards Lieutenant Governor of Illinois; Alexander P. Field and Joseph A. Beaird. This committee reported resolutions and an Address to the people of Illinois, at a subsequent meeting, February 17, 1823. The resolutions endorsed the Convention Resolution, declared that it was the right and duty of the people to amend, alter or change their form of government whenever it ceases to be productive of the objects for which all governments are instituted, etc., and recommended the people to vote for a convention.

resistance. Cox marshalled his force under the banks of the Mississippi river, and with great courage he and his men charged upon the house. In this desperate encounter seven men were killed outright and some ten or fifteen wounded. The result was that this gang of villians and desperadoes, one of the most dangerous, defiant and powerful, that ever infested the Northwest, was completely broken up. I attended court at Bellevue, a few days after this fight took place, which was on April 1st, 1840. People had come to the "seat of war" from all parts of the county, and the most intense excitement prevailed. Nearly every man was armed to the teeth; freshly arrived from staid and sober New England, the sights I beheld were to me strange and curious. I stopped at the tavern, which had been kept by W. W. Brown, who was the leader of the gang, and who had been killed. My room-mate was Judge James Grant, of Davenport, who has been for nearly half a century one of the most distinguished citizens and lawyers of Iowa; when we were about to retire, what was my amazement to see my room-mate, whom I had never met before, draw out from under the back of his coat an immense bowie-knife and place it under his pillow. When abroad I wrote a letter to a friend in regard to this incident, and described Judge Grant's bowie-knife as being three feet long. This letter got into the newspapers. The Judge wrote me a letter to Paris, denying my statement, and asserting that the bowie-knife he had on that occasion was only *two feet long*. Col. Cox was one of the most imposing looking men I ever saw. He was six feet tall; weighed two hundred and forty pounds, and would attract the attention of every one wherever he went. My friend, Col. W. A. Warren, of Bellevue, who settled in Jackson county about the same time as Col. Cox, speaks of him as an able and popular man, with many excellent qualities, but whose usefulness was impaired by his unfortunate habits. He died on his farm near the town of Maquoketa in 1843, and his family afterwards removed to Los Angeles, California.

The address is not what might have been expected from the able and distinguished men on the committee to draw it up. They felt that policy dictated that the real question at issue—freedom or slavery in Illinois—should be obscured, and hence reasons for a change in the Constitution, which nobody cared anything about, were amplified and general principles stated in high-sounding and pompous phrase, while the real reason was studiously concealed. This address could have had no great effect, while the bold and manly "Appeal" of the anti-slavery men was well calculated to awaken public attention and arouse public feeling.*

The truth is, that the first constitution, which was now sought to be changed, was, in its main features, a good one, and the mass of the people were satisfied with it. They had never manifested any particular desire for a change until after the pro-slavery demagogues in the Legislature had initiated the project for a revision. It was then suddenly discovered that the fundamental law of the State was an ill-digested jungle of faults, either containing or lacking provisions necessary to the prosperity of the State and the happiness of the people. Unfortunately, at this time, there was a general discontent among the people of the State. A scape-goat was wanted. It was the existing constitu-

*It is somewhat remarkable that while so large and influential a portion of the people of Illinois, and some of them the most prominent men from the free States, were laboring to make Illinois a slave state, some distinguished Southern men were opposed to the whole scheme. I find in an autograph letter of Wm. H. Crawford, who was then so prominent as a candidate for President, written to Governor Coles June 14th, 1823, the following: "Is it possible that your Convention is intended to introduce slavery into the State? I acknowledge if I were a citizen I should oppose it with great earnestness; where it has ever been introduced it is extremely difficult to get rid of, and ought to be treated with great delicacy." This declaration so honorable to Mr. Crawford, a slave-holder, then Secretary of war, and one of the most distinguished citizens of the South, should have crimsoned the cheeks of the dough-faces of Illinois of that day.

tion and it was necessary to change it. The times were hard. The farmer could find no market for his abundant crops. Manufactures languished, improvements were at a standstill, and the mechanic was without work. The country was cursed by a fluctuating and irredeemable paper currency, which had driven all *real* money out of circulation. The flow of emigration to the State had in a great measure ceased, but a great emigration passed through the State to Missouri. Great numbers of well-to-do emigrants from the slave states, taking with them their slaves, were then leaving their homes to find new ones west of the Mississippi. When passing through Illinois to their destination, with their well equipped emigrant wagons, drawn by splendid horses, with their retinue of slaves, and with all the lordly airs of that class of slaveholders, they avowed that their only reason for not settling in Illinois was that they could not hold their slaves. This fact had a very great influence, particularly in that part of the State through which the emigration passed, and people denounced the unwise provision of the constitution prohibiting slavery, and thus preventing a great influx of population, to add to the wealth of the State.

CHAPTER XII.

CONVENTION CONTEST COMMENCES; THE MOST REMARKABLE EVER IN THE STATE; ITS VIOLENCE AND BITTERNESS; EVERYBODY ENTERS INTO IT; DESCRIPTION OF IT BY GOVERNORS FORD AND REYNOLDS AND WM. H. BROWN; HOSTILITY TOWARDS GOVERNOR COLES; INSULTING DEMAND UPON HIM BY THE SENATE; HIS DIGNIFIED AND CONCLUSIVE RESPONSE; REJECTION OF HIS NOMINATIONS; LETTER TO JOHN G. LOFTON.

THE Legislature had adjourned, and both parties had issued their manifestoes. The members and the great number of the prominent men of the State who had been attracted to Vandalia during the struggle, had gone to their homes. The two parties were now to meet face to face to decide the question before a tribunal from which there could be no appeal. Fortunately there was ample time for discussion, and voices could not be stifled as they had been in the Legislature. Under the constitution the vote of the people on the Convention Resolution could not take place until the next election of members of General Assembly, which would be on the first Monday of August, 1824, a long period of eighteen months.

There now commenced one of the most remarkable contests that was ever fought out at the hustings in this country. The pro-slavery men had defiantly thrown down the gauntlet, and the anti-slavery men took it up with equal defiance. The conflict was long and bitter, and no quarter was given on either side. There were not only the strong men of both parties, orators, judges, lawyers, but the rank and file of people entered into the struggle with a violence, a zeal, and a

determination alike without limit and without example, in the State. There was a perfect avalanche of personalities, threats and denunciations, and Governor Ford well says that had not the people made allowance for all the exaggerations and falsehoods, the reputations of all men would have been overwhelmed and consumed. "Newspapers, handbills and pamphlets, were scattered broadcast. These missive weapons of a fiery contest were scattered everywhere, and everywhere they scorched and scathed as they flew. Almost every stump in every county had its bellowing, indignant orator on one side or the other, and the whole people, for the space of months, did scarcely anything but read newspapers, hand-bills and pamphlets, quarrel, wrangle and argue with each other whenever they met together to hear the violent harangues of their orators."—(*Ford's History of Illinois.*)

The following is the account given of this celebrated contest, by Governor Reynolds in his history, "My Own Times:"

"The convention question gave rise to two years of the most furious and boisterous excitement and contest that ever was visited on Illinois. Men, women and children entered the arena of party warfare and strife, and the families and neighborhoods were so divided and furious and bitter against one another, that it seemed a regular civil war might be the result. Many personal combats were indulged in on the question, and the whole country seemed, at times, to be ready and willing to resort to physical force to decide the contest. All the means known to man to convey ideas to one another were resorted to, and practised with energy. The press teemed with publications on the subject. The stump-orators were invoked, and the pulpit thundered anathemas against the introduction of slavery. The religious community coupled freedom and christianity together, which was one

of the most powerful levers used in the contest. At one meeting of the friends of freedom in St. Clair county, more than thirty preachers of the gospel attended and opposed the introduction of slavery into the State."

The Hon. WILLIAM H. BROWN, a former president of the Chicago Historical Society, in his admirable sketch of the "Early Movement in Illinois for the Legalization of Slavery," read before the Society December 5, 1864, thus speaks of the great contest:

"The struggle which now commenced, and was continued through the succeeding eighteen months, was one of no ordinary character. Our previous elections had been conducted with warmth and zeal; but into this canvass was infused a bitterness and malignity which the agitation of the Slavery question only engenders. Why it always produces this result, is worthy of the investigation of the moralist and philosopher. Other great evils, political or moral, are discussed with freedom, and measures for their amelioration or prevention meet with no outward opposition; but call in question the right of one man to enslave another, or even make an effort to confine this gigantic sin to the territory in which it exists, and the fiercest passions are aroused in the hearts of its advocates, and the lack of power alone saves their opponents from utter destruction.

In this spirit was the contest of 1823-4 waged. Old friendships were sundered, families divided and neighborhoods arrayed in opposition to each other. Threats of personal violence were frequent, and personal collisions a common occurrence. As in times of warfare, every man expected an attack, and was prepared to meet it. Pistols and dirks were in great demand, and formed a part of the personal habiliments of all those conspicuous for their opposition to the Convention measure. Even the gentler sex came within the vortex of this whirlwind of passion; and many were the angry disputations of those whose cares and interests were usually confined to their household duties."

The hostility of the pro-slavery men, both in and

out of the legislature, toward Governor Coles, was intense during the winter of 1822-3. It culminated in mobbing his residence after the legislature adjourned. It was the high character of the Governor, the great influence he began to exercise over public opinion, and his intense anti-slavery proclivities, which made him as much hated as feared. No violence or abuse had any effect upon him, but he pursued the even tenor of his way, always maintaining the dignity of his position, but never slackening his efforts nor abating his zeal.

It was in the height of the contest on the Convention Resolution in the Legislature that the Senate made an impudent demand on the Governor. It was not enough to respectfully request him, but it showed its *animus* in passing a curt resolution which "*required*" him to lay certain papers before that body. This unwarranted, not to say insulting, action of the Senate, was promptly met by the following message from the Governor, which showed how ridiculous was the assumption of the honorable Senators:

MESSAGE OF GOVERNOR COLES TO THE SENATE.

To the Senate of the State of Illinois:

I have received a Resolution from the Senate, by which "the Governor is required to lay before the Senate all the recommendations of all the persons recommended for the offices of Recorder of the counties of Morgan and Fulton." In consequence of the novel and unprecedented nature of this Resolution, I have given the subject great consideration, and with every disposition to comply, not only with whatever the Senate has a right to *require*, but with every reasonable request it may express, I feel myself constrained, under my impressions of the relative constitutional powers of the Senate and the Executive, to decline complying with the requisition contained in the above resolution.

The Constitution of this State, the source from whence the powers and duties as well of the Senate as of the Governor are derived, declares that "the Governor shall nominate, and by and with the advice and consent of the Senate, appoint all officers whose offices are established by this Constitution, or shall be established by law, and whose appointments are not herein otherwise provided for." By a fair construction of this provision, it seems that it is the province of the Governor to nominate, and of the Senate to advise and consent, or not to advise and consent to nomination; and a judicious exercise of this power, on the part of the Senate, it is conceived, is abundantly sufficient to guard the State against the appointment of persons whose character and qualifications are not such as to render them good and useful officers. The power of the Senate being thus expressly confined to approving or rejecting nominations, it is not known by what authority it derives the right to require of the Governor all the recommendations of the persons named, much less those of all the others who may have been recommended; a precedent for which, it is believed, cannot be found in the proceedings of the Federal Government, or the Government of any of the States whose Constitution contains a similar provision. Indeed, such an authority could not be exercised by the Senate without greatly abridging the constitutional powers of the Governor in making his selections.

If the Senate is to be governed, or its decisions influenced, by the *written* evidence which might be in the hands of the Governor, it would very frequently act on imperfect and very different data from that which probably decided him in making the nomination, as it is well known that most recommendations to office are made verbally, and the Governor occasionally nominates or appoints an individual from his own personal knowledge of his character and qualifications.

EDWARD COLES.

February 14, 1823.

The following letter of Governor Coles to John G. Lofton, illustrates the vindictive feeling of the Senate towards the Governor:

VANDALIA, Feb. 16, 1823.

Dear Sir:—Being very sensible of the strong claims you have on the State from your long residence, the many valuable services you have rendered it, and the justly high character you have acquired from your honorable and manly conduct; in one word, believing there was no man who had stronger claims or better qualifications, I have been induced from these considerations, as well as the pleasure I felt in giving you a proof of my high respect and sincere regard, to nominate you to the Senate as recorder for the county of Fulton. In these times of party heat, when the worst feelings are enlisted in the worst of causes; when the friends of freedom are oppressed, denounced and proscribed by the friends of Slavery—in such time, I say, as this, I felicitated myself in having been able to select an individual so perfectly fitted in qualification, and so perfectly unexceptionable in character, that I had not supposed that the blackest demon of faction could have raised his head against him, but in this I was mistaken, for on yesterday the Senate, to my inexpressible surprise, rejected your nomination. I have done you the justice to state that you had not applied for the office, but that I had been induced to nominate you purely for my regard for you, and from a conviction of your pre-eminent claims and qualifications, and that I thought the emoluments of the office would be such as to induce you to accept it; and that I was the more confirmed in my belief of your acceptance, from the circumstance of your not having yet purchased the place on which you now reside. This statement of the reasons for my nominating you is due to you as well as to myself. The regret I feel at your rejection could greatly be increased if I should find that you were mortified at it, and it would be especially painful to me if I should have done what may prove displeasing to you. As I write in haste, I must conclude by assuring you of my great respect and sincere regard.

EDWARD COLES.

J. G. LOFTON, Esq.

P.S. Not having had an opportunity of forwarding this letter, I have opened it to add that since your rejection I have nominated to the Senate, Pascal P. Enos, who has also been rejected—after which I nominated O. M. Ross, of Fulton county,

which nomination the Senate neither rejected nor confirmed, but adjourned this evening *precipitately* without having given previous notice of their intention, either to the House of Representatives or to the Governor. I refer you to the gentleman who will hand you this for an account of the late extraordinary proceeding here.

E. C.

FEB. 18th.

CHAPTER XIII.

GOVERNOR COLES THE LEADER OF THE ANTI-CONVENTION FORCES; HIS INTENSE EARNESTNESS; LETTER TO RICHARD FLOWER; RELATIONS BETWEEN GOVERNOR COLES AND NICHOLAS BIDDLE; CORRESPONDENCE BETWEEN THEM; BIDDLE INTRODUCES GOVERNOR COLES TO ROBERTS VAUX, OF PHILADELPHIA, MEMBER OF THE SOCIETY OF FRIENDS; NOTICE OF ROBERTS VAUX; HIS GREAT SERVICES TO THE ANTI-CONVENTION CAUSE; CORRESPONDENCE BETWEEN COLES AND VAUX; ANOTHER LETTER OF MR. BIDDLE TO GOVERNOR COLES.

AFTER the adjournment of the Legislature, Governor Coles addressed himself with great earnestness to the task which confronted him, as the acknowledged leader of the anti-convention forces. There were a large number of able men all over the State who devoted their time and talents to the great cause, but the position of Governor Coles, his residence at the seat of government, his prestige as an anti-slavery man, and his ability as a writer, placed him in the very front rank of the anti-convention men. He took steps to get control of the only newspaper published in Vandalia at the time, and entered into correspondence with the leading men in the State and elsewhere, opposed to the convention. The following letter of Governor Coles, to Richard Flower, shows how intensely earnest he was and with what a lofty spirit he was animated. Mr. Flower was an Englishman and one of the founders of the English colony of Edwards county.*

*This letter of Governor Coles will naturally awaken an interest in Edwards county, and some of its pioneers who fought with the Governor the great battle against slavery. Edwards county has an interesting history. It was organized while Illinois was yet a Territory, and named Edwards county, after its Territorial Governor, Ninian Edwards. It embraced all the country north of White county, on the eastern side of the State. The English colony that settled in the county prior to 1820, gave great character to it by reason of the distinguished men

Letter of Governor Coles to Richard Flower.

VANDALIA, April 12, 1823.

Dear Sir:—I would have made my acknowledgments to you long since for your kind letter of 13th of February, but for my having been prevented from writing by the bearer of it, from the haste with which he took his departure hence, and for my being much harassed by the business attendant on the approaching adjournment of the Legislature; and for my having gone soon after the adjournment to Edwardsville, where I was detained until a few days since by torrents of rain, which have deluged the country and rendered the streams and roads impassable. The perusal of your letter afforded me particular pleasure. It breathes the genuine sentiments of a Republican and of a philanthropist; and produced an emotion which was "pleasing though mournful to the soul." Pleasing that an adopted citizen should possess principles so entirely accordant with our free institutions; and as it held out encouragement that the people would not sanction the late conduct and measures of their Representatives—mournful, that if the slave faction should succeed, how unpleasant and truly unfortunate the situation of many of us, who have removed from a great distance and invested our all in property which we shall

who composed it. They named the county seat "Albion." Much is said in this Paper of Morris Birkbeck, who with Richard and George Flower, was the founder of the "English settlement." The Flowers were men of wealth and education, and strongly Republican in sentiment, and intensely anti-slavery. The letter of Governor Coles to Richard Flower shows the high estimate he placed on his influence. Before coming to Illinois he had spent a year at Lexington, Kentucky, having been induced to settle there by Mr. Clay. He would have made his home in the "Blue Grass Region," but his hatred of slavery induced him to leave it and emigrate to Illinois, where his son, George Flower, had preceded him. George Flower was a man of mark and influence in his day and generation, well known in Europe as well as in this country. He spent one winter with Thomas Jefferson at Monticello, and was for two or three months the guest of Henry Clay, at Ashland. He was in correspondence of many distinguished literary and political men. In 1860, with a thoughtful liberality, he presented to the Chicago Historical Society many original letters addressed to him by Lafayette, Jefferson, Cobbett, the Abbe Gautier, the Count de Lasteyrie, D. Macdonald, then of New Harmony, Indiana (since Lord of the Isles and Earl of Skye), and other distinguished persons. All these valuable letters were consumed by the fire which destroyed Chicago in 1871.

Benjamin Flower, the brother of Richard, never came to this country, but remained in England. He was a literary man and politician. An ultra-republican, he was once sent to the Tower of London for a speech he made in advocacy of his doctrines. His daughter, Sarah Flower Adams, was the author of the popular hymn, "Nearer, my God, to thee."

be compelled to abandon or to sacrifice, to seek new homes we know not where; or remain in a community whose principles and practice are not only entirely at variance with our own, but of a character calculated daily to harrow up our feelings in the most painful way. I was born in the very bosom of negro slavery; have seen it in all its bearings; reflected well upon the nature of it, and having found it impossible to reconcile it either with my political or religious creed, I abandoned my native State, my aged parents and relations, to seek in this State a community whose principles and practice I presumed were in unison with my own. Judge, then, of my feelings at the efforts which have been made and are now making to change this free community of ours into a truly odious one, consisting of masters and slaves—and you can judge the better as your situation and principles are very similar with mine. The great inducement with us both to emigrate to this State was the firm belief that we should not be disturbed by the clanking of the fetters of Slavery; that tyranny would not be given a legal sanction, nor afforded the food on which it could prey. But the majority of the people's representatives, having by the most violent and unprecedented measure, taken a step with the view of breaking down those barriers to oppression, which had been erected by the wisdom and virtue of those who framed the fundamental law of the State, and which you and many of us considered, if not sacred, at least to have been permanently settled, it becomes us to be on the alert to defeat a measure, which if it should succeed, will not only be ruinous, and in the highest degree unjust to many of us who have emigrated here under the most solemn assurance that "neither slavery nor involuntary servitude" should exist; but it will be of incalculable injury to the interest of the State, of the Union, and of the extension and advancement of freedom, and the amelioration of the human race.

You reside in a favorable situation to aid with effect this great question. The county just below you forms the dividing line between the sections of country in which the free and slave parties predominate. It has occurred to me that the friends of freedom would give ample support, and that the good cause would be greatly promoted by establishing a printing press on the Eastern side of the State. And I know of no place where it could be

established to so much advantage, as at Albion. Besides the advantage it has in locality, there are in Albion, and its vicinity, many persons who wield chaste and powerful pens, and who have the means, and I trust, the disposition of patronizing an establishment of the kind. Pardon me for asking it as a favor to me personally, and as a sacrifice to the furtherance of the best and most virtuous of causes, that all personal, sectional, national, county or town feelings, and all other unkind feelings, let them originate from what cause they may, shall be buried, at least while the great question is pending. I will write and ask the same favor of Mr. Birkbeck. I have but little news. From all that I can learn a considerable majority of the people of the counties situated in the north-west part of the State, as far south as Monroe, St. Clair and Washington, are opposed to a call of a convention, but great and extraordinary efforts are already making to induce the people to vote for it.

Present my respectful compliments to Mrs. F. and family, and to your son and his lady, and be assured of my respect and esteem. EDWARD COLES.

To RICHARD FLOWER, Esq.,
Albion, Edwards County, Ill.

I have spoken of the relations existing between Governor Coles and Nicholas Biddle. In view of the struggle which the Governor had entered upon in Illinois for the purpose of defeating the introduction of slavery into the State, and from the necessity of obtaining help whenever it could be had in aid of the work, he addressed the following letter to Mr. Biddle:

Governor Coles to Nicholas Biddle.

VANDALIA, Illinois, April 22, 1823.

Dear Sir:—It has been a long time since I either wrote to you or heard from you. I made a visit last summer to my relations in Virginia, and intended to have extended my tour as far as Philadelphia, which I should certainly have done, for I am still more attached to Philadelphia than any other city in the Union,

but for my trip having been delayed by a severe attack of bilious fever, and having been prolonged in Virginia beyond the time I expected, and the necessity I was under to be back here by the meeting of the Legislature, to enter on the duties of the office to which I had been recently elected. I assure you, when about to leave Washington (where I staid only four or five days) and to turn my face to the west, there was a great struggle between a sense of duty which dragged me here, and my inclinations and many strong attractions which drew me to your charming city. There has long existed in this State a strong party in favor of altering the constitution and making it a slave-holding State; while there is another party in favor of a convention to alter the constitution, but deny that Slavery is their object. These two parties have finally, by the most unprecedented and unwarrantable proceedings (an account of which you have no doubt seen in the newspapers), succeeded in passing a resolution requiring the sense of the people to be taken at the next general election (August, 1824), on the propriety of calling a convention for the purpose of altering the constitution. Knowing that this measure would be strenuously urged during the late session of the Legislature, and that many who professed to be hostile to the further introduction of Slavery, would advocate it, and believing that it would have a salutary effect to furnish them an opportunity of evincing the sincerity of their professions; and being also urged by a strong sense of the obligations imposed on me, by my principles and feelings, to take notice of the subject, I called the attention of the Legislature in a speech I delivered on being sworn into office (a printed copy of which I sent you by mail) to the existence of Slavery in the State, in violation of the great fundamental principles of the ordinance, and recommended that just and equitable provision be made for its abrogation. As I anticipated, this part of my speech created a considerable excitement with those who were openly or secretly in favor of making Illinois a slave-holding, rather than making it really as well as nominally, a free State—who wished to fill it rather than empty it of slaves. Never did I see or hear in America of party spirit going to such lengths, as well officially as privately, as it did here on this question. Indeed, it seems to me that Slavery is so poisonous as to produce a

kind of delirium in those minds who are excited by it. This question, and the manner of carrying it, is exciting great interest throughout the State, and has already kindled an extraordinary degree of excitement and warmth of feeling, which will no doubt continue to increase until the question is decided. I assure you, I never before felt so deep an interest in any political question. It preys upon me to such a degree, that I shall not be happy or feel at ease until it is settled. It is impossible to foresee the injurious effects resulting to this State or the unhappy consequences which may arise to the Union, from the success of the slave party in this State. Many of us who immigrated to this State under the solemn assurance that there should exist here "neither slavery nor involuntary servitude," will, if the slave faction succeeds, be compelled to sacrifice or abandon our property and seek new homes, we know not where, or remain in a community whose principles we shall disapprove of, and whose practice will be abhorrent to our feelings. And already we hear disputed the binding effect of the ordinance—the power of Congress to restrict a State, etc., etc., from which I fear, if the introduction of Slavery should be tolerated here, the discussions on the expediency and unconstitutionality of the measure will not in all probability be confined to the citizens of this State. But this is a part of the question too painful for me to dwell on. I trust the good sense and virtue of the citizens of Illinois will never sanction a measure so well calculated to disturb the harmony of the Union and so injurious to its own prosperity and happiness, as well as so directly opposite to the progress of those enlightened and liberal principles which do honor to the age. But to insure this it is necessary that the public mind should be enlightened on the moral and political effects of Slavery. You will confer a particular favor on me and promote the virtuous cause in which I am enlisted, by giving me information, or referring me to the sources from whence I can draw it, calculated to elucidate the general character and effects of Slavery—its moral, political and social effects—facts showing its effects on the price of lands, and general improvement and appearance of a country—of labor both as it respects agriculture and manufactures, etc., etc. The State of Pennsylvania having been long distinguished for its attachment to

free principles, there is no doubt but what you can procure in Philadelphia many valuable pamphlets and publications which would throw light on this question. Any which you may have it in your power to procure and forward, will be most thankfully received, and the amount of the expense repaid as soon as it is known. Your old and truly sincere friend,

EDWARD COLES.

To NICHOLAS BIDDLE, ESQ.,
President of the Bank of the United States,
Philadelphia.

Mr. Biddle to Governor Coles.

PHILADELPHIA, May 20, 1823.

Dear Sir:—I have just received your friendly letter of the 22nd ult., to which I shall take the first moment of leisure to give a more detailed answer. In the meantime I can only say that I feel most sincerely the embarrassment of your situation, and hope that you may be able to triumph in the good cause. That no effort may be wanting, you shall have all the assistance which I can give or procure. My occupations necessarily absorb so much of my time that I can promise you little on my part, personally, but I have already engaged two of our most active gentlemen familiar with that subject, who will cheerfully and zealously contribute to your support. The first fruit of their labor is the pamphlet accompanying this letter. I have not had time to read it, as I am anxious to forward it without delay, but I understand that it is the latest and best work on the subject, and goes directly to the question of the superiority of free over slave labor. Mrs. B. and Mr. Craig are glad to hear of your prosperity, and desire to be particularly remembered to you.

With great sincerity of regard,
yrs.,

EDWARD COLES, ESQ., N. BIDDLE.
Vandalia.

Mr. Biddle to Governor Coles.

PHILADELPHIA, May 26, 1823.

My Dear Sir: My present occupations necessarily engross

so much of my time that I can scarcely contribute more than my good wishes to the great cause which so naturally and deeply interests you. It gives me peculiar satisfaction, therefore, to procure for you the correspondence of my friend, Mr. Roberts Vaux, to whom this note is intended to serve as an introduction. Mr. Vaux is a gentleman of education, talents, fortune, leisure and high standing in the community. He feels sensibly all the embarrassments of your situation; he perceives the deep importance of defeating this first effort to extend to the north-western country the misfortunes of the slave population, and he is disposed to cooperate warmly and zealously with you. I know of no individual more calculated to render you the most efficient service. He is worthy of all your confidence, and I recommend to you to yield it to him implicitly, as I am sure it will be repaid by every kindness and every service in his power.

With great esteem and regard,

yrs.,

N. BIDDLE.

EDWARD COLES, ESQ.,
Vandalia,
Illinois.

This letter of Governor Coles to Mr. Biddle was the means of bringing the Governor and Mr. Roberts Vaux into communication, as will be seen by the following letter:

Mr. Biddle to Governor Coles.

PHILADELPHIA, May 26, 1823.

My Dear Sir: I have put into the hands of my friend, Mr. Vaux, a note for you which he will accompany with a communication on the subject which now occupies you. Mr. Vaux will be hearty and zealous in the cause, and I really deem it a subject of congratulation to you, to procure the assistance of one who is more able and willing than any individual of my acquaintance to assist you. There is one thing which I wish to add. The Abolition Society of this city, has been the subject, whether justly or not I am unable to determine, of much hostility at a distance, and it would be rather injurious than beneficial to have it supposed

that the society was active in the cause which you are supporting. You will therefore understand that neither the Abolition Society nor any other society has the least concern in this matter. The simple fact is that Mr. Vaux, and two or three of his friends, have been so much pleased with your past conduct in relation to Slavery, and have so deep a sense of their duty to resist the extension of that system, that they mean to volunteer in assisting you, without any connections with any set of men, and without any motives which the most honorable might not be proud to avow.

Very sincerely,

yrs.,

N. BIDDLE.

EDWARD COLES, ESQ.,
Vandalia,
Illinois.

Mr. Vaux having thus been introduced by Mr. Biddle, he addressed the following letter to Governor Coles:*

PHILADELPHIA, 5 Mo. 27, 1823.

TO EDWARD COLES, ESQ.:

Esteemed Friend:—My friend, Nicholas Biddle, has kindly furnished me with a note of introduction to thy correspondence,

*The perusal of the letters of Roberts Vaux to Governor Coles cannot fail to awaken a real interest among the people of Illinois. I am glad to publish them, as showing the deep and unselfish interest this remarkable man took in preserving the soil of Illinois to freedom. He was the type of a class of men ("Friends") in Philadelphia, whose names and deeds have illustrated the history of that city. Roberts Vaux was born in Philadelphia, January 21, 1786, and died January 7, 1836, and while holding the position of Associate Justice of the Court of Common Pleas, for the city and county of Philadelphia. Blessed with health and competence, he pursued a career marked by honor, benevolence and usefulness. Mr. Thomas McKean Pettit in his memoir, justly says of him, "The vigor of a fine intellect, with stores of useful information, a knowledge of men and business, obtained by judicious observation and careful training, which combined, could have been successfully exerted in the acquisition of wealth, or the gratification of political ambition, were all employed for the benefit of the human race."

In reference to the great services rendered by Mr. Vaux, in a letter of acknowledgment, Governor Coles thus writes to him: "Such noble, generous and fervid benevolence as yours is highly honorable, even to a *Friend*, and is a new and striking proof of that extended philanthropy, and pure, and heaven-born spirit of Brotherly love, by which that denomination of Christians has ever been distinguished."

The part which Mr. Biddle took in this great controversy, and the timely assistance he rendered, deserves to be remembered to his credit, and will soften the prejudice which was excited against him as the President of the United States Bank.

which is transmitted by the mail that conveys this letter. I have been induced thus to solicit access to thy notice, because thy conduct in relation to the emancipation of thy slaves could not fail to beget great respect for an individual whose noble, and generous example displayed so much practical wisdom, and Christian benevolence. Nor has it been less gratifying to be informed of thy official efforts to prevent the overthrow of those constitutional barriers, which were erected to protect the State of Illinois, from the moral, and political evils inseparable from domestic slavery.

It is really astonishing, that any part of the inhabitants of your State should wish to introduce a system which is generally reprobated where its effects have been longest known, and from the dominion of which, such of our fellow citizens of the South as are disposed to examine the subject with the gravity which it certainly merits, most anxiously desire to be redeemed.

Notwithstanding, however, the lessons which experience has taught in this respect, it is likely that Illinois will be agitated by the exertions of unreflecting men, and possibly without timely and energetic efforts to counteract their schemes, they may be enabled to persuade a majority of her people to violate their early vows on this subject, and pollute your soil with the blood and tears of slaves.

Feeling as I do, a deep sympathy for thyself, thus threatened with the most unhappy consequences, and desirous that miseries and mischiefs, the amount of which no mind can fully calculate, may be averted from the extensive and fair region of which Illinois forms a part, I would willingly contribute anything in my power, and with these views I offer my own, and the services of a few of my friends, in this interesting cause.

We have thought that benefit might result from making judicious selections from writers whose purpose is to show the iniquity, and impolicy of slavery—these selections to be printed in the *Tract form* (at our own expense) and forwarded to Illinois for gratuitous distribution. If this plan should meet thy approbation, I should be glad to receive an early intimation to that effect, but should thy official station, or duties, render it either improper or inconvenient for thee to take an active part in this business, perhaps it will be in thy power to select a few individ-

uals who may be disposed to aid us, and in that event, I shall be obliged by thy introduction of such persons to my correspondence.

Accept the salutation of my respect,

ROBERTS VAUX.

The above letter of Mr. Vaux was answered by Governor Coles as follows:

EDWARDSVILLE, Illinois, June 27, 1823.

Esteemed Friend:

Your kind and highly interesting letter of the 27th ult. was rec'd by the last mail, and has been perused with very great pleasure. The benevolent sentiments you express, and the correct views you take of the great question which is now unfortunately agitating this State, and the deep interest you evince for the prosperity and happiness of Illinois, and the preservation of the right and liberty of its inhabitants, do credit alike to the native benevolence of your heart and to those divine and political principles which distinguish the real Christian and Republican, and cannot fail to present a contrast, which, however mortifying it may be to me as an Illinoisan, cannot but be highly gratifying to me as a man, to see one so far removed from the scene, and without any other interest except that which he feels in the general happiness of his species, nobly and generously volunteering his services to assist in promoting the cause of humanity, whilst there are thousands here strenuously advocating the giving a legal sanction to the oppression and abject slavery of their fellow-creatures. Such noble, generous, and fervid benevolence as yours, is highly honorable even to a *Friend;* and is a new and striking proof of that extended philanthropy, and pure and heaven-born spirit of Brotherly love, by which that denomination of Christians have ever been distinguished, and cannot fail to excite the admiration and win the confidence and attachment of all—especially of those like myself, who daily experience pain and mortification in hearing doctrines advanced which are directly in opposition to the great fundamental truths of our religious and political creeds.

In behalf of the friends of freedom in this State, I give you sincere and grateful thanks for the offer of your services to assist

us to enlighten the minds of our fellow citizens, by publishing judicious selections and observations on the iniquity and impolicy of Slavery, in *tract form*, and distributing them gratuitously through the State. It may be proper, however, to remark that distant friends should be cautious in the manner of making their benevolent exertions, as there is danger that designing partisans here may not only paralyze the effort, but turn it against the cause it was intended to promote, by representing it to be the interference of other States for the purpose of influencing the opinion of the people of this. An ingenious pen could dress up this subject in a manner to give it great effect in this country. Would it not, therefore, be best not to state on the face of the publications where they were printed? They could be printed in Philadelphia, and sent with the goods of some merchant of St. Louis at a much less expense than by mail.

Not being aware of any consideration which should restrain me, but on the contrary believing that my present office increases the obligations I am under, as a good citizen, to exert myself to enlighten the minds of my fellow citizens, and strenuously to oppose every measure which I am convinced is unjust in principle or injurious in its effects, and believing Slavery to be both iniquitous and impolitic, I conceive myself bound, both as a citizen and as an officer, to do all in my power to prevent its introduction into this State. I will therefore cheerfully render you assistance in distributing any publications you may forward, or give you any information you may desire.

The friends of freedom here propose making publication similar to those you suggest, but they will not have the same means of doing justice to the subject that you will have in Philadelphia. We are particularly anxious, not only to present to the people proper views of the immoral and anti-christian, unjust and anti-republican character of Slavery, but also *facts* showing its impolicy and injurious effects in retarding the settlement and prosperity of the State, by checking emigration to it, and paralyzing the enterprise and activity of its citizens—that it would impede the progress of manufacture, be prejudicial to agriculture, and in one word, to the future prosperity as well as to the immediate interest of the State. The great argument here in favor of

the introduction and toleration of Slavery, is that it would have the immediate effect of raising the price of lands, and adding to the population and wealth of the country. We want *facts* to disprove these assertions, and also to show that Slavery would operate to the injury of the poor or laboring classes of society. Strange as it may appear, it is nevertheless true, that there are many persons who are in principle opposed to Slavery who will yet vote for making this a slave-holding State, under the belief that by so doing they will be enabled to make an immediate and advantageous sale of their lands, and thus gratify that restless and rambling disposition which is so common with frontier settlers.

Pardon this long and hasty letter. Give my regards to our mutual friend Biddle, and be assured that your generous benevolence has inspired me with great respect and sincere regard for you.

EDWARD COLES.

ROBERTS VAUX,
Philadelphia.

Roberts Vaux to Governor Coles.

BIRDWOOD LODGE (near Phil'a.), 7 Mo. 24, 1823.

Esteemed Friend:—I cannot delay an immediate acknowledgment of thy letter of the 27th Ultimo, which reached me at my summer residence to-day.

It affords me unfeigned satisfaction to learn from it that thee approves the plan which I submitted for thy consideration. Anticipating a favorable notice of the suggestion, by a mind so devoted as thine to the promotion of the great ends of humanity, of justice, and of National honor, three pamphlets were prepared, which will be immediately printed, and transmitted to thy address at St. Louis. One of these tracts is designed to show the impolicy and unprofitableness of Slave Labor, etc., and some arguments are drawn from the published opinions of several distinguished citizens *of the slave-holding States*, among which Col. Taylor's are not the least authoritative and cogent. Another essay exhibits a succinct account of the cruelties of the Slave Trade, derived from authentic sources; and a third pamphlet is intended to show that the interminable bondage of any portion of the human race is, on the part of the oppressors, a flagrant violation of natural and

Divine Justice, and utterly inconsistent with the doctrines of our Holy Redeemer.

Aware of the unpopularity of Philadelphia, and especially of *Quaker* sentiments on this particular topic, with all those who attempt to justify slavery, it was originally determined to avoid giving any complexion whatever to these publications which might induce the belief that they proceeded from this State, or that individuals of the Society of Friends had any agency in the preparation of them. The coincidence of our judgment in regard to the manner of treating the subject is worthy of remark.

If the least benefit results from this humble effort, it will administer to my happiness, which will be augmented by the reflection, that it owes its origin to thy own emphatic summons for aid, in a cause which demands the exercise of every generous and patriotic feeling.

That indulgent Heaven may crown thy labors with success, is the sincere desire of thy friend.

With great truth and respect,

To Edward Coles, Esquire, Roberts Vaux.

Governor of Illinois, Edwardsville, Illinois.

P.S.—On my next visit to the city, I intend to communicate thy message to our friend Nicholas Biddle.

R.V.

Governor Coles to Mr. Biddle.

Edwardsville, Sept. 18, 1823.

Dear Sir:—I have been long anxious to return you my thanks for your kind letters of May 20th and 26th, and also for the acceptable service you rendered me in making me known to Mr. Vaux, from whom I have had the pleasure of receiving two letters, and a promise of his assistance in preventing our soil from being polluted with the foul and disgraceful stain of slavery. The disinterested and praiseworthy zeal he evinces is as honorable to him, as it is gratifying to me, and is well calculated not only to give me an exalted opinion of his character, but to awaken the most lively feelings of regard and friendship for him. I wish, when you see him, you would tender him my kind regards and thanks for his letter of July 24, and say to him, I hope soon to receive

the packages promised. The propriety of calling a convention, or more properly speaking, of making this a slave-holding State, is still discussed with considerable warmth, and continues to engage the undivided attention of the people, being the constant theme of conversation in every circle, and every newspaper teems with no other subject. Unfortunately for the friends of freedom, four out of five of the newspapers printed in this State are opposed to them; and the only press whose editor is in favor of freedom, although a pretty smart editor, has rendered himself unpopular with many by his foolish and passionate attacks upon many of the prominent men on his side of the question. If, however, the advocates of Slavery have the advantage of us in printing presses, we have greatly the advantage of them in possessing men of the most talents, and most able to wield the pen and use the press, with effect; and as three out of four of their presses have professed a willingness to admit well-written original essays on both sides of the question, we shall have not only the best of the argument, but be able, I trust, to present it in the best dress to the public. I am happy in telling you that the advocates of a convention have been losing ground ever since the adjournment of the Legislature; and there is no doubt with me if the question were now to be decided, that a majority of the people would be opposed to it. But what will be the state of the parties next August is another question. Many of the people in this State are very fickle and credulous, and much can be done by designing and unprincipled partisans, and that everything which can possibly be done will be done, we cannot but infer from the extraordinary and unwarrantable measures resorted to last winter in the Legislature in getting up the question, and the great anxiety evinced, and exertions which have been made and are still making to prevail on the people to sanction it. But as the friends of freedom are aware of this, they will watch the movements of their opponents, and be on the alert to counteract their intrigues and machinations. The object for which a convention is wanted is so justly odious, and the conduct of the friends of the measure so disgraceful, that I cannot bring myself to believe they will succeed. But I regret to state that the advocates of Slavery in this State are gaining strength, from the indiscretion of the advocates of

freedom out of the State. Certain leading newspapers in the Atlantic cities have taken a stand, and held language which is used here in a way calculated to do much mischief. Whether we have the constitutional right to make this a slave-holding state, or not, or whether the opponents of the extension of slavery, here or elsewhere, may think proper hereafter to call for the interposition of the Federal Gov't to restrain the people of this State, it is certainly bad policy at this time very strongly to urge it, and especially in what may be considered dictatorial language; as it is of all other questions the best calculated to arouse the feelings of State pride, and State rights, and that natural love of unrestrained liberty and independence which is common to our countrymen, and especially to our frontier settlers, who of all men in the world have the strongest jealousy of authority and aversion to restraint.

I wish, my friend, you would use your influence to prevail on the newspaper writers to let this question alone for the present. If they are sincere in their opposition to the further extension of Slavery, they will not prematurely urge it, when they are assured that by so doing they can do no good, but much harm.

I shall go to St. Louis in a day or two, when I hope to have the pleasure of seeing and congratulating your brother on his late marriage, and becoming acquainted with his lady. This has been the most cool and agreeable, and by far the most healthful summer I have ever seen in this country. The spring was too wet and we were apprehensive of an unfavorable season both for health and vegetation, but we have been most agreeably disappointed. My health was never better. I beg you to present my kind regards to Mrs. B. and to Mr. Craig, and to be assured of my sincere regard.

EDWARD COLES.

NICHOLAS BIDDLE, Esq.,

President of the bank of the U. S.—Philadelphia.

P.S.—Could you or Mr. Vaux furnish me with an assessment of lands in the different counties of Pennsylvania? I want to show that lands are higher in price in free than slave States.

Governor Coles to Roberts Vaux.

VANDALIA, Illinois, December 11, 1823.

Esteemed Friend:—I received some time since your letter of the 11th of Oct., and by the last mail yours of the 4th Ulto. An unusual press of public business prevented my sooner acknowledging the former, and will now prevent my making as long an answer to the two as I desire. For the last four weeks there has been a great crowd of persons here, attending the Circuit and Supreme Court of the State, and the U. S. and District Court and the sale at auction for taxes of about 7,000 tracts of land, belonging to non-resident proprietors. This has necessarily given me much to do; but it has at the same time afforded me an excellent opportunity of collecting the sense of the people on the great question which is now agitating the State. And I am happy in assuring you, from the best information I have been able to collect from all parts of the State, I am more confirmed in my belief that a majority of the people will be opposed to calling a convention for the purpose of altering the Constitution so as to make this a slave-holding State. But the extraordinary efforts that have been made here during the last three or four weeks by the friends of Slavery, in organizing their party, and enabling its leaders to act with the most concert and effect, convince the friends of freedom that their opponents are yet in the field, and that they should be on the alert, for fear by some *ruse de guerre*, at which their opponents are known from sad experience to be great adepts, the advocates of oppression should triumph. Nearly all the leading friends of a convention have been assembled here, and held caucuses for the purpose of deliberating upon the best means of promoting the success of their favorite measure; have adopted sundry resolutions, and made many arrangements; among others have appointed committees for each county in the State, and requested that the county committees appoint a committee in each township for the purpose of corresponding with each other, and of influencing by every possible means the public opinion.

With respect to your inquiry whether there is not some more expeditious and safe mode of sending out the pamphlets than through a commercial house at St. Louis, I can think of no other,

except to forward them, as pamphlets, by mail to me to this place, which is at this season of the year slow and precarious.

The pamphlet you forwarded me by mail, along with your last letter, I received safe; but have been so busy as not yet to have had time to read it. Two thousand of each kind, will, I presume, be enough, and as many as I shall be able conveniently to distribute. There will be for the next six months, so few persons visiting this place, that I shall be compelled to rely chiefly on the mails, as the means of distributing pamphlets, or other information to the public. If possible, I intend to have all the pamphlets published in one or more of our weekly newspapers.

Accompanying this I send you a pamphlet, which has been lately published by my old friend Birkbeck, which is by far the best publication which has been yet given to the public. After you have perused it, you will confer a favor on me to loan it for the perusal of our mutual friend Biddle, to whom I beg you to present my kind regards.

With great respect and sincere regards, your friend,

EDWARD COLES.

To ROBERTS VAUX,

Philadelphia.

We have had the misfortune (two days since) to lose our State House by fire. This accident will operate in favor of a convention. Many profess to be opposed to Slavery, but in favor of a convention to remove the seat of Government. There is now of course less inducement for keeping it here, I still, however, hope and believe we shall have no convention.

CHAPTER XIV.

INCREASING EXCITEMENT ON THE CONVENTION QUESTION; OPPOSITION MORE INTENSE; GENERAL WILLIS HARGRAVE; SECRET ORGANIZATION OF THE CONVENTION PARTY; EXPOSED BY A HAND-BILL; NEWSPAPERS IN THE STATE; RENCONTRE BETWEEN SMITH AND WARREN AT EDWARDSVILLE; LEADERS IN THE CONTEST ON BOTH SIDES; LABORS AND ACTIVITY OF THE ANTI-CONVENTION MEN, GOVERNOR COLES, REV. JOHN A. PECK, MORRIS BIRKBECK; NOTICE OF BIRKBECK; HIS ABILITY AS A WRITER; HIS SERVICES TO THE ANTI-CONVENTION CAUSE; CORRESPONDENCE BETWEEN COLES AND BIRKBECK.

WITH the advent of the year 1824, the excitement on the Convention question increased. The more the question of making Illinois a slave State was discussed in all its various phases, the more intense the opposition became. As this opposition increased, the efforts of the Convention party were redoubled. On the 6th of December, 1823, the "*Friends of a Convention*," from all parts of the State, held a meeting at Vandalia, for the purpose of instituting a more perfect organization, of which General Willis Hargrave, the official Inspector of the Gallatin Saline, was the chairman. General Hargrave was a member of the House of Representatives from White county, in the Territorial Legislature, in the sessions of 1817-18, and a member of the first Senate of the State in 1818-22, and was one of the boldest and most outspoken advocates for a convention in the State; while others temporized and hesitated, he openly advocated making Illinois a Slave State. At this meeting committees were appointed, composed of the most efficient pro-Slavery men, for every county, but whose names were not made public. These com-

mittees were to appoint township committees for the purpose of a more complete organization. This action of the Convention men becoming known, was met by the Anti-Convention men by a hand-bill, circulated over the State, in the early part of 1824, a copy of which is given as showing a somewhat ludicrous side of the contest:

"*By Authority!*

WHEREAS, certain evil disposed persons did, in the month of December last, assemble at Vandalia, and enter into a combination to control the freedom of election enjoyed by right by the good people of this State, in order to exclude from public service all citizens who are not of the Convention party, however suitable and well qualified they may be to promote the public interest; and for that purpose did presume to appoint certain secret committees of five of the said party in every county, who were to appoint sub-committees of three for every precinct, for carrying into effect the scheme as above mentioned; and, whereas, the first Monday of August next is set for the trial of the authors and abettors of the said conspiracy against the sovereignty of the people, all good citizens are hereby required for the furtherance of political justice, to find out and detect, as far as in them lies, these *county and township committee men*, and to publish their proceedings in such manner as shall most effectually bring to light their underhand transactions. All newspapers that are friendly to freedom and independence are desired to give this notice a conspicuous place.

January, 1824.

PRO BONO PUBLICO.

During this contest on the Convention question, there were but five weekly papers published in the State. Two of these were anti-Convention before the close of the contest; of them the "Illinois Intelligencer," published at Vandalia, the seat of Government, might

be considered the leading one. It was at first a Convention paper, but was subsequently purchased by Governor Coles and other anti-Convention men, and placed under the editorial management of David Blackwell, a prominent lawyer of his time and Secretary of State under Governor Coles. The second was "The Spectator," at Edwardsville, edited by Hooper Warren. The first of these papers was not rallied to the anti-Convention cause till the contest was somewhat advanced. The Edwardsville Spectator was anti-Convention from the beginning, though its editor, Hooper Warren, was not friendly to Governor Coles, and had opposed him in his election. The three papers advocating the Convention were the "Republican Advocate," at Kaskaskia, managed by Elias Kent Kane, afterwards U. S. Senator, Thomas Reynolds, subsequently Governor of Missouri, ex-Governor Bond and others, the "Illinois Gazette," at Shawneetown, and the Edwardsville paper, "The Republican," under the direction of Judge Theo. W. Smith, Emanuel J. West, Judge Samuel McRoberts, afterwards U. S. Senator, and others.

The controversy between the two papers in Edwardsville, representing Convention and anti-Convention, was waged with great violence. State Senator Theophilus W. Smith, afterwards Judge of the Supreme Court, editor of the Convention paper, undertook to cowhide Hooper Warren, editor of the anti-Convention paper. Failing in his purpose he drew a dirk on him. Warren then pulled out his pistol, when the combatants were separated and "nobody hurt."

As before stated, the ablest, most prominent and

most influential men of the State were champions of the Convention; among them, were ex-Governor Bond and six gentlemen who afterwards became United States Senators; Jesse B. Thomas, John McLean, Elias Kent Kane, John M. Robinson, Samuel McRoberts and Richard M. Young; there were also, Chief Justice Phillips, of the Supreme Court, Wm. Kinney and Zadoc Casey, subsequently Lieut. Governors of the State, Colonel Alexander P. Field, Joseph A. Beaird, General Willis Hargrave, Emanuel J. West, Lieutenant-Governor Hubbard, John Reynolds, Justice of the Supreme Court, Thomas Reynolds, and others.

On the anti-Convention side, a great cause produced earnest and effective leaders. At their head was Governor Coles, entering heart and soul into the contest, carrying on an extensive correspondence with the anti-Convention men in all parts of the State, organizing opposition everywhere and wielding his facile and powerful pen in the newspapers. He not only expended his whole salary in the cause but contributed largely from his private means. But the man who accomplished most against the Convention by personal exertion and by untiring work was the Rev. John M. Peck, of St. Clair county. Mr. Peck was a Baptist minister who emigrated to the West from Connecticut in 1817, and located in St. Clair county in 1821. He was a man of excellent education, of a strong and comprehensive mind and with an energy and perseverance rarely surpassed. The attempt to make the State of his adoption a slave State awakened in him the most intense feeling of opposition. Endowed with a strong constitution and great physical strength, he entered

into a personal canvass against the Convention scheme and labored assiduously, in season and out of season, during the long campaign. He organized a society in St. Clair immediately after the passage of the Convention Resolution which adopted a constitution to resist the introduction of slavery into Illinois. Establishing his headquarters in St. Clair county, he extended his organization to fourteen other counties, establishing societies in each to act in unison with the parent society in St. Clair.* This organization, perfected and kept up by the exertions of Mr. Peck, was productive of great results to the anti-Convention cause. It was with the religious element of the community and with the clergy that he most labored. Uniting the establishment of Sunday schools and temperance societies with the distribution of the Bible, he preached a crusade against slavery wherever he went. It may be said to the eternal honor of the clergy of Illinois at that day, that they were almost without exception, opposed to the Convention, and that they exercised great influence in securing the rejection of the Convention Resolution at the polls. The prevailing denominations in the State at that time were the Methodists and Baptists, and most of the preachers were from the slave States.

Next to Governor Coles and the Rev. Mr. Peck, the man who did the most in forming public opinion against the convention was MORRIS BIRKBECK, of Edwards county. The active part which Mr. Birkbeck took in the great struggle, and the inestimable services he rendered to the State in that vital epoch, are such as to entitle him to the gratitude of the people of Illinois. Today, little is known of him or his works, and

*"My Own Times," by John Reynolds.

it is fitting that his name should be rescued from oblivion, and justice done to his memory. Edwards county could not do a more appropriate act than to erect a monument to his memory.

MORRIS BIRKBECK was born in Wanborough, England, in 1763. Receiving a most thorough classical education, he devoted himself to the study of agriculture. He soon came to enjoy a widespread celebrity as being one of the first practical as well as theoretical farmers in the kingdom.* Making the acquaintance of many Americans in England, and among them Mr. Coles, when he was abroad in 1816, he came to the determination to emigrate to the United States, to use his own language, "in quest of a new settlement in the western wilderness." This settlement was made in the fall of 1817 in Edwards county, and it soon became known as the "English settlement."†

Though Albion was the county seat, Mr. Birkbeck located adjoining thereto, and built up a town which he named Wanborough, after his native town in England. It was here that he was living when the Convention struggle broke out. Surrounded by his family, in companionship with his large and valuable library which he had brought with him from England, and overlooking the improvement of his settlement, he enlisted heartily in the anti-Convention cause as soon as the Convention Resolution had passed the Legislature. His son-in-law, Gilbert T. Pell, was a member of the lower branch of this Legislature, and strongly opposed

*Mr. Birkbeck was made the first president of the Illinois State Agricultural Society.

†Governor Reynolds says that "Mr. Birkbeck was the first literary man who settled in Illinois, and he had deservedly considerable reputation as a man of letters."

the "call." Before this time, in his published "Letters from Illinois," Mr. Birkbeck had made known his views on slavery. In a letter dated July 28, 1818, written to a friend in France, he says:

"In passing from theory to practice, I have experienced no diminution of my love for freedom; but I hate tyranny more cordially, and I want language to express the loathing I feel for personal slavery; practiced by freemen it is most detestable. It is the leprosy of the United States; a foul blotch which more or less contaminates the entire system, in public and in private, from the President's chair to the cabin of the hunter."*

The acquaintance of Governor Coles and Mr. Birkbeck made in England in 1816, ripened into a warm friendship after they both became citizens of Illinois. They were in complete sympathy on the slavery question generally, but the Convention struggle brought them still nearer together. The correspondence between them cannot fail to interest all who have followed the progress of the great struggle of that day.

Morris Birkbeck to Governor Coles.

WANBOROUGH, March 1, 1823.

My Dear Sir:—I have quite lost sight of St. Domingo. Clouds and darkness seem to overhang our own State too heavily to allow of my looking beyond it. Very glad, indeed, should I be, could I hope to do anything, however little, to dispel them. The poor remainder of my life I would gladly devote to this cause. I am exceedingly desirous of seeing you to confer with you about our affairs. The disgusting scenes at Vandalia, occasioned by the unprincipled intrigues of the Slave party would afford a fine scope for the enemies of political freedom, to declaim against a representative Government; whereas, in truth, it is the only guard

*"Letters from Illinois, by Morris Birkbeck," author of "Notes on a Tour through France" and of "Notes on a Journey in America."

against the tyranny of such persons. If the *people* are absolutely corrupt and without principle, such men will gain their object under *any* system. Nothing is so destructive of moral character as Slavery; of this the transactions of our Legislature are a fresh illustration. Day and night this miserable subject is before me. I foresee that, if I live till next year, I must attempt, with my pen, my only weapon, to do something; and have already written a short address to be published, if you and our other friends approve of it, a little before the election, or at the time when you may think it best. Having done this I am something more at ease. I wish I could prevail with you to come here and stay. You can't *live* at Vandalia. Edwardsville, I fancy, is not very healthy. I won't *insure* you here; but I have a right to give you good hopes of escaping the summer complaints at our place. I have room plenty, in house and heart, to accommodate you in a plain way. Your political influence would, I think, be promoted by your spending a good part of the year on this side of the State; and to extend and strengthen that influence is, at this time, your imperious duty. You shall have the library to yourself to retire to when you please, and be as independent and welcome as a sincere friend can make you. It gives me great pleasure to find that Mr. Pell was what I expected of him in his political commencement. His being thrown so advantageously into the same berth with yourself will tend to confirm his character. It is a consolation to me that one so near me has so much good principle and discretion. I shall expect a few lines from you soon and often (I don't ask you for long elaborate epistles) until I may hope for the pleasure of receiving you here. My plan on that head is certainly a good one. I entreat you to fall in with it without hesitation. Excuse this scrawl from your sincere friend,

M. Birkbeck.

Sunday Morning. Mr. Pell informs me that you will be engaged this summer on the western side of the State, reviewing militia, and that I must not hope to see much of you. Perhaps you may have time and inclination to pay us a visit before you take the field. If a correspondence could be set on foot among the friends of freedom scattered over the State, they might

strengthen and inform each other, and the influence of good feeling might be increased. I would gladly bear a part in it. Is land higher in Missouri than in this State, or more saleable? or in Kentucky, *caeteris paribus*, than in Ohio? The Missourians and Kentuckians have felt the adversity of the times equally with ourselves, it may be presumed—from their having played the same game of Legislation about Currency and Stay laws. The supposed advance in the price of land from the admission of Slavery, appears to be the grand temptation with our people. If this opinion be ill founded, as I believe it is, I wish the case could be clearly and simply stated. I *know* that very many respectable farmers in England are looking to this State as a refuge when they can clear out of their farms, but not one in a hundred would settle in a Slave State; and a great part of those from that country who are now here would fly from it.

It is essential to impress on the minds of our citizens, two things, in regard to the present crisis. One is the infamy of the proceedings of the Slave faction at Vandalia; this I have attempted to point out, with its consequences, if sanctioned by the people, in the paper I have alluded to above, and which I wish to submit to your inspection;[2] that if you approve of it you may judge of the best time and manner of giving it circulation among the electors. The other is the *impolicy* of Slavery—for this purpose, tho' the fact is demonstrable from the nature of things, I want particular statements founded on experience, derived from authentic sources. If you give your attention to the subject you may direct my inquiries into a proper channel. Is there any enlightened individual in the State of Ohio, or any where else, with whom I could open a correspondence for this purpose? Any publications by citizens of the United States? Has not Mr. Jefferson written on Slavery?

To Governor Coles,
Edwardsville,
Illinois.

Governor Coles to Morris Birkbeck.

Vandalia, April 12th, 1823.

Dear Sir:—I rec'd a few days since, via Edwardsville, your

[2]Published July, 1823, as *An Appeal to the People of Illinois on the Question of a Convention.*

kind and acceptable letter of the Ist ulto. I am much gratified to find you have abandoned all idea of a tour for the present; and that your feelings are warmly enlisted in the great question on which hangs our destiny. Feeling as you do on this subject, with a mind so discriminating and so well stored with information, and gifted with a peculiarly happy talent of expressing your ideas in a plain and forcible style, I know of no man in the State who could be of more service than yourself in enlightening the people and giving them correct views of the moral and political character of the question, as well as of its immediate bearing upon their present interests and future welfare. As the opposite party will keep up an incessant effort through the press to make converts to the Convention, our side of the question will have to follow their example, not only for the purpose of correcting their misrepresentations and refuting their arguments, but from time to time to present correct views of the real objects, and injurious effects resulting from a Convention. The great interest the people take, the extraordinary anxiety they feel, either for or against the Convention, forces its consideration on the community, and already we find in every assemblage, however small, it is a subject of discussion, and that the people are daily making up their minds and committing themselves by taking sides. Whilst this is going on we ought not to lay on our arms, and let the enemy undermine the feelings and judgment of the people, and thus sap the foundations of our strength. Considerable effort has been made by both parties to procure the support of the different printing presses in the State. The Slave party will have the support of the press of this place, at Shawneetown, and one of the two presses established at Edwardsville; the other espouses the cause of freedom. The editors here, however, though avowedly and decidedly in favor of a Convention, declare their willingness to admit pieces into their papers both for and against it. It is not known positively what side the press at Kaskaskia will take; but I am disposed to think it will be on our side. The friends of freedom being thus situated, is it not desirable, nay necessary, for the success of their holy cause, to have a press established on the eastern side of the State. It appears to me that Albion, as well from its local situation, as from the means in and about it, both

mental and pecuniary, would render it the most eligible place for such an establishment. I mentioned this subject last winter to Mr. Pell, to whom I refer you for the reasons and views which induced me to suggest the propriety of it. I have just written to Mr. R. Flower, to whom I have also taken the liberty to suggest it, and a still further liberty to ask it as a favor to me and as a sacrifice calculated to promote the success of the great cause in which we, and I trust, a great majority of Edwards county, are also deeply interested, to bury, at least during the pendency of the question, all personal, national, local, and other unkind feelings, and unite heart and hand to promote the good cause.

I am extremely sorry not to have it in my power to answer satisfactorily your enquiries. Altho' the fact is notorious, lands are always higher in price in non-slave-holding-States than in slave-holding-States, yet I cannot refer to any authentic statistical or other publication, pointing out the fact in detail. I know the fact to be so from my own personal observation and enquiries, made while traveling through the different sections of the Union, and especially along the Atlantic seaboard, where the general face of the country brightens, and the cultivation and value of the soil increases, with the accession of free labor. This could at once be made satisfactorily to appear if we could lay our hands on the assessments of lands for taxation made in the several States. In my native State (Va.), if I mistake not, the assessment of lands of the different counties, made by the general board of assessors, go to establish the fact in general that the lands bear the highest price in the counties where there were fewest slaves in proportion to the white population. It is true, in the year 1818 the Gov't sold lands higher in Missouri than it has ever done in this State; but this arose from peculiar circumstances, which circumstances I have no doubt would have made similar lands sell as high in this State. As a proof of it, lands are now no higher in that State than in this—and the "hard times," as they are emphatically called, have been as sensibly felt there as here. Fictitious banks, the political locusts which have devoured the fruits of the land, have been more encouraged, and of course the hard times have been much more detrimental to Kentucky and Ohio than to Missouri and this State. But in this

Slavery has had no hand, but it has been the chief and only cause why Ohio, with a colder climate and much less fertile soil and many years the junior of Kentucky, has far outstripped her in population and in wealth. With respect to the relative value of land in Ohio and Kentucky, since the currency of those States has been so deranged, I have no particular information; but I feel very certain that the land still continues much higher generally in the former than in the latter State.

With respect to your inquiry as to the best source of information, founded on experience collected in this country of the effects of Slavery, I can give you but little information, as, in truth, but little has been written on the subject. I know of no one who has touched so feelingly and forcibly on the moral and political character of Slavery as Mr. Jefferson in his "Notes on Va." If you could lay your hands on the debates on the "Missouri question" in Congress, you would be able to collect many interesting facts. I shall probably have it in my power to send you one or two of the best of these speeches. There is a newspaper printed monthly at Greenville, in Green county, Tennessee, by a Quaker of the name of Ben. Lundy, called the "Genius of Universal Emancipation," the columns of which are exclusively devoted to the subject of African Slavery as it exists in the U. S. I have seen but 2 or 3 numbers of this paper, in each of which there was something more or less valuable on this subject. I have determined to subscribe for it, and shall endeavor to prevail on the editor to furnish me with a regular file of his paper since its commencement, which I believe was about 2 or 3 years ago. If this paper has been well edited it *ought* to contain the substance of everything interesting on this subject. Soon after the adjournment of the Legislature, I was compelled by business to go to Edwardsville and Belleville, where happening to be during the sitting of the Court, I had it in my power to see many of the people, and was much gratified to find the counties of Madison and St. Clair as much opposed to the call of a Convention as I had imagined them to have been. The people in those counties received and treated me with great kindness, insisting upon my giving them an opportunity of evincing publicly their approbation of my public conduct, etc., etc., by inviting me to partake of a

public dinner, at which many attended, proving by their conduct that they were not only the friends of *freedom* but of *order*.

I owe you a thousand apologies, my dear friend, for your very, very kind invitation to visit and spend some time with you. You know what pleasure it would afford me, and will therefore know if I should not visit you soon that it will not be my fault. I do not now know when it will be in my power to visit you, but I fear it will not be very soon; as soon, however, as it is in my power you may expect to see me.

I beg you to let Mr. Pell see this letter, for whom it is intended in part. My respects to him and Lady, as well as to all the members of your family, including Mr. and Mrs. Hanks. You will pardon me for writing so long a letter, to which I have been prompted by the deep interest I feel in the great question, and the pleasure I find in holding converse with you.

Your friend,

EDWARD COLES.

To MORRIS BIRKBECK,
Wanborough, Edwards County,
Illinois.

Morris Birkbeck to Governor Coles.

WANBOROUGH, Dec. 6, 1823.

Dear Sir:—* * * * * * * I take the liberty by this mail to send you half a dozen; and if, on reading a copy, you should think it may be useful to any of the unconverted Conventionists, you may put it in their way. I am glad you think favorably of the course the question is taking. I believe the advocates of a Convention are not so numerous as they have been on this side of the State. The leaders do not seem to be so sanguine. This may, however, be a *ruse de guerre* preparatory to a grand push in the spring. I am rejoiced that you have escaped from sickness this summer. My family has enjoyed excellent health, and the neighborhood—as heretofore. We should be glad to see you amongst us; and a friendly visit from you would give *me* peculiar pleasure. I have not seen Mr. Pell since the morning,

when I received your letter. I shall deliver your message to him, and I beg you to believe me your sincere friend,

M. BIRKBECK.

To GOVERNOR COLES,
Vandalia.

Governor Coles to Morris Birkbeck.

VANDALIA, January 29, 1824.

My Dear Sir:—I had the pleasure to receive, in due course of mail, your letter of the 6th ulto., together with six of your pamphlets, which you were so good as to send me, for which I return you my thanks. I had previously seen republished in a newspaper your pamphlet, and had read it with great pleasure. I could not but wish every Conventionist in the State had it and was compelled to read it with attention. Our society at Edwardsville intends having another and large edition of it reprinted for the purpose of having it extensively circulated. I took the liberty to send one or two of your pamphlets to some distant and particular friends, who take a deep interest in the Slave question in this State. By the by, should not the review of your pamphlet, which appeared first in the Illinois Gazette, and since republished in all the Convention papers of the State, be noticed? It is very ingeniously written, but what more particularly requires correction is the fabrications and misrepresentations of facts. One or two of these were hastily noticed and sent to be inserted last week in the paper published here; but no paper has since issued from the press.

During the setting of the Courts, and the sale of the lands of non-residents for taxes, we had a considerable number of persons assembled here from almost every part of the State; and a pretty good opportunity was afforded of collecting the public sentiment in relation to the great question which is now convulsing the State. The friends of a Convention pretended to be pleased; but it was very apparent they were not; and the more honest and liberal among them acknowledged that they thought their prospects bad. Our friends on the other hand were much pleased, and rendered much more sanguine of success from the information they received. The friends of Slavery, however, were caucusing nearly every

night, and made many arrangements for their electioneering campaign. Among others, it is said, they have appointed five persons in each county, with a request that these five appoint three in each election precinct, for the purpose of diffusing their doctrines, embodying their forces, and acting with the greatest concert and effect. This is well calculated to bring their strength to bear in the best possible manner, and should, as far as possible, be counteracted. When bad men conspire, good men should be watchful.

The friends of a Convention appear to become more and more bitter and virulent in their enmity to me, and seem determined not only to injure my standing with the people, but to break down my pecuniary resources. A suit has been lately instituted at Edwardsville against me for the recovery of the sum of $200 for *each* negro emancipated by me and brought to this State. The suit has been brought under a law passed on the 30th of March, 1819, but which was not printed or promulgated until the October following. In the meantime, that is about the first week of May, my negroes emigrated to and settled in this State. What is truly farcical in this suit is, that a poor worthless fellow, who has no property, and of course pays no tax, has been selected to institute it, from the fear he has of being taxed to support the negroes I emancipated, when they, who are all young and healthy, are so prosperous as to possess comfortable livings and some of them pay as much as four dollars a year tax on their property. I should indeed, my friend, be unfortunate were I now compelled to pay $200 for each of my negroes, big and little, dead and living (for the suit goes to this) after the sacrifices I have made, and my efforts to befriend and enable them to live comfortably. For I not only emancipated all my negroes, which amounted to one-third of all the property my father bequeathed me, but I removed them out here at an expense of between five and six hundred dollars, and then gave each head of a family, and all others who had passed the age of 24, one hundred and sixty acres of land each, and exerted myself to prevail on them to be honest, industrious and correct in their conduct. This they have done in a remarkable degree, so much so, with all the prejudice against free negroes, there never has been the least ground for charge or

censure against any one of them. And now, for the first time in my life, to be sued for what I thought was generous and praiseworthy conduct, creates strange feelings, which, however, cease to give me personal mortification, when I reflect on the character and motives of those who have instituted it.[8]

Just about the time this suit was instituted, I had the misfortune to lose by fire two-thirds of all the buildings and enclosures on my farm, together with about 200 apple trees and as many peach trees—several of each kind large enough to bear fruit. And soon after, the "State House" having been consumed by fire, a project was set on foot to rebuild it by subscription. Not liking the plan and arrangements, I declined subscribing, and proposed others, which I thought would be more for the interest of the State, of the county, and of the town—and which by the way are now generally admitted would have been best. This however was immediately laid hold of by some of the factious Conventionists who being aware that the loss of the State House would operate to the injury of their favorite measure in *this county*, and being anxious to display great solicitude for the interest of the people here, and that, too, as much as possible at the expense of the anti-Conventionists, they busied themselves in misrepresenting to the multitude my reasons and motives for not subscribing my name to their paper, and with the aid of large potions of whiskey, contrived to get up a real *vandal* mob, who vented their spleen against me, in the most noisy and riotous manner, nearly all night, for my opposition to a convention and for my refusal, as they termed it, to rebuild the State House. All this and other instances of defamation and persecution, create in my bosom opposite feelings; one of pain, the other of pleasure. Pain to see my fellow man so ill-natured and vindictive merely because I am the friend of my species, and am opposed to one portion oppressing another—pleasure that I should be in a situation which enables me to render services to the just and good cause in which we are engaged; and so far from repining at these indignities and persecutions, I am thankful to Providence for placing me in the van of this eventful contest, and giving me a temper, zeal, and resolution which I trust will enable me to bear with proper fortitude

[8]See appendix for record of suit.

the peltings which are inseparable from it. In conclusion, I pray you to do me the justice to believe, that no dread of personal consequences will ever abate my efforts to promote the good of the public, much less to abandon the great fundamental principles of civil and personal liberty—and to be assured of my sincere friendship.

EDWARD COLES.

MORRIS BIRKBECK, ESQ.,
Wanborough, Edwards County.

Mr. Birkbeck to Governor Coles.

WANBOROUGH. Feb. 19, 1824.

My Dear Sir:—I have just received your letter of January 29, and I assure you the receiving it has given me unfeigned pleasure, although its contents, as far as the unworthy conduct of the party is productive of vexation to you, I as sincerely lament. I am sorry that it should be at your expense; but as it tends to expose the badness of the cause and the iniquity of its supporters, the friends of liberty and virtue can hardly regret that they should have thus displayed their true character.

For myself, my private situation screens me in great measure from persecution, though I presume, not from the honor of their hatred. I am glad you approve my little pamphlet; if I could afford it, I would spare the society at Edwardsville the expense of republishing, &c. I have the satisfaction of knowing that it has done some good, by changing the sentiments of several, who through want of reflection or knowledge, had been advocates of Slavery. And as there are many up and down in all parts of the State, who are in that situation, I trust its general circulation will be useful. I am continually plying the Slave party, through the Illinois Gazette, with popular discussions and sometimes with legal arguments, under the signature of Jonathan Freeman, and some others. You will see, if you read that paper, an ironical proposal of a plan for raising a fund to colonize the negroes as an appendage to limited Slavery, signed J., which I think may show the absurdity of that plan of the Conventionists more effectually than serious argument. The Edwardsville Spectator published about a dozen of those short letters, and I suppose you will see a

few more of them shortly. As they present the question in various lights, pointing out the wickedness and folly of the Slave scheme, dissected as it were into distinct portions, I imagine they make an impression on some readers more effectually than a continued course of argument. I submit, with great deference, a thought that some of these would be useful if republished by way of appendix to the *Appeal*. Perhaps you will revert to them, and notice a few more which you will soon see; then do as you see good.

As *publication* is essential to the binding power of a law, in fact to its existence *as law*, you will of course defeat your persecutors, and put them to shame, on the principle of *ex post facto*. You could not infringe in May a law promulgated in October following.

The fire at Vandalia is rather against the Conventionists in that quarter. The idea of re-building the State House by subscription, you, as Governor, could hardly countenance. What authority have individuals to act in this case, even at their own expense? And what claim have they on your private purse? I am only sorry for your personal vexation under these attacks. They discover the weakness and folly of the party, and I am in hopes they are losing ground. They have great zeal and activity and no delicacy about the means; there is considerable zeal, too, and activity on our side; and setting the good principles of our cause against their total want of principle, I trust we are a match for them, provided we do not relax in our efforts. The attack on my pamphlet by Americanus, (who is Mr. Webb, of Bonpas,) seems to be ridiculed and despised, even by their own side. I have sent to the Illinois Gazette a short reply to the personalities; further I thought needless, and have just written another to the same effect, which I shall send to the Vandalia paper. Not being presumed to know the author, some severity of retort seems allowable.

You have a circle at Vandalia chiefly, I fear, of the wrong sort in regard to the vital question, which circumstance must detract from your social enjoyment, where at best it could ill be spared. The cause on which you are engaged so heartily is so thoroughly good that it will bear you up through many sacrifices

and privations. Your sentiments on the subject rejoice and encourage me, and in return (pedantry as it may seem) I shall give you a sentiment from Horace for *your* encouragement.*

> Justum et tenacem propositi virum,
> Non civium ardor prava jubentium,
> Non vultus instantis tyranni,
> Mente quatit solida.

I remain, with great esteem, yours,
M. BIRKBECK.

Of the many others who took an active part against the Convention, there were David Blackwell, Judge Samuel D. Lockwood, Hooper Warren, Jonathan H. Pugh, George Forquer, Daniel P. Cook, Thomas Lippencott, George Churchill, Thomas Mather and Henry Eddy.[9]

Mr. Birkbeck wrote a series of letters during the Convention canvass, over the *nom de plume* of "Jonathan Freeman," which were widely published and almost universally read. They were written in a plain but captivating style, full of facts and arguments, and embellished by homely but apt illustrations. They proved a source of great annoyance to the Convention party, and as he was known to be the author, he was most bitterly assailed. He was denounced as a "foreign emissary," and an "exile," sneered at as a "Quaker," and charged with being an "Infidel." But it was all to no purpose. The more he was attacked, the more were his letters read. Speaking of these letters in his

*The last paragraph of Mr. Birkbeck's letter cannot but excite admiration. The quotation from Horace applied with great force to the case of Governor Coles:

"Neither the ardor of citizens ordering base things, nor the face of the threatening tyrant shakes a man just and tenacious of principle from his firm intentions."

[9]Henry Eddy was in favor of a convention, although his paper, the *Illinois Gazette*, admitted articles on both sides. See Pease, *The Frontier State*, 73, 82.

manuscript history of Edwards county, Mr. George Flower well says:

"Whatever may be thought of Mr. Birkbeck, by those who would square every man's opinion by their own, the inhabitants of the State Illinois, if for nothing else, should hold his memory in respect and gratitude for the decided part he took against the introduction of Slavery in his letters of 'JONATHAN FREEMAN.'"

CHAPTER XV.

THE ELECTION TAKES PLACE; VOTE OF COUNTIES FOR AND AGAINST THE CONVENTION RESOLUTION; COPY OF A CONVENTION BALLOT; CONVENTION SCHEME DEFEATED BY MORE THAN EIGHTEEN HUNDRED MAJORITY; CONVENTION MEN DEFEATED, BUT THEY RALLY UNDER THE BANNER OF JACKSON; GET CONTROL OF THE STATE; PRO-SLAVERY MEN ELECTED UNITED STATES SENATORS; BIRKBECK APPOINTED SECRETARY OF STATE *vice* BLACKWELL; BIRKBECK REJECTED BY THE SENATE; DEATH OF BIRKBECK.

THE day had now arrived when the people of Illinois, in their sovereign capacity, were to pass on a question involving interests and consequences of the most supreme importance to themselves and their posterity. Should a convention be called, there was no question that the then existing constitution prohibiting Slavery would be changed, and a constitution authorizing Slavery would be adopted. Whatever attempts had been made in the earlier part of the campaign to make it appear that, should a new constitution be made, it did not follow it would authorize Slavery, yet, as the contest progressed, the Convention men were driven to the avowal that it was a Slave Constitution they intended to adopt. So, in the end, the naked question was presented, "Shall Illinois be a Free or Slave State?" The discussions on the stump, through the press, in the churches, at the cross-roads and at the fireside, had prepared the people to decide the question. It was on the first Monday of August, 1824, that the election was to take place. The hand-to-hand struggle had continued eighteen months, and superhuman exertions had been made on both sides. Both parties welcomed the

arrival of the moment that was finally to end a struggle that had evoked so much feeling and passion, involved so much labor and absorbed such intense interest. The following is a vote of counties for and against the Convention Resolution:[10]

Counties.	For.	Ag'nst.	Counties.	For.	Ag'nst.
Alexander,	75	51	Lawrence,	158	216
Bond,	63	240	Madison,	351	563
Clark,	31	116	Marion,	45	52
Crawford,	134	262	Montgomery,	74	90
Edgar,	3	234	Monroe,	141	196
Edwards,	189	391	Morgan,	42	455
Fayette,	125	121	Pike,	23	261
Franklin,	170	113	Pope,	273	124
Fulton,	5	60	Randolph,	357	284
Gallatin,	596	133	Sangamon,	153	722
Greene,	135	405	St. Clair,	427	543
Hamilton,	173	85	Union,	213	240
Jackson,	180	93	Washington,	112	173
Jefferson,	99	43	Wayne,	189	111
Johnson,	74	74	White,	355	326

Vote against Convention Resolution,	6,822
Vote for Convention Resolution,	4,950
Being a majority of	1,872
Out of a vote of	11,772

Judge Gillespie has sent me a ticket which he says "came from the papers of a man named Samuel McKitrick, now deceased, and which was used on election day on the Convention question. It shows how artfully the tickets were gotten up to give the Conventionists the benefit of accidents; the figures on the back of the ticket—'1824'—are in the hand-writing of Mr. McK. When you are done with the ticket, please hand it to the Historical Society, to be kept as a *memento*." The following is the ticket:

PEOPLE'S BALLOT.

For new Constitution.

For article prohibiting banks.

[10]See Pease, *The Frontier State*, 89. The result of the vote is given as follows: 4,972 for a convention; 6,640 against it.

For exclusion of negroes and mulattoes.
No right of suffrage or office to negroes or mulattoes.
For laws excluding negroes and mulattoes from coming into and voting in this State.
For Congressional apportionment.

The Convention scheme was overwhelmingly defeated, and it would naturally be supposed that the men who had thrust it upon the people would have been driven from public life. Not so, however. It was the year of the Presidential election. While the anti-Convention party was united, harmonious and vehement in its opposition to the call for a Convention, there were serious divisions in it as to Presidential preferences. General Jackson had been brought out as a candidate, and his name evoked great enthusiasm. The Convention men generally rallied under his banner, while the anti-Convention party divided its vote between Adams, Crawford and Clay.* Fighting under the Jackson flag, the Convention men achieved great advantages in the legislative elections, particularly in view of the division of their opponents. The Convention question out of the way, the Jackson party having been formed, became irresistible. The Convention men flocked to the standard of "Old Hickory," and though

*The popular vote was as follows: Jackson one thousand nine hundred and one; Adams one thousand five hundred and forty-two; Crawford two hundred and nineteen; Clay one thousand and forty-seven. There was no choice of President by the people at this election, and the House of Representatives elected John Quincy Adams. Hon. Daniel P. Cook, the only Representative in Congress from Illinois, cast the vote of the State for Mr. Adams. The vote of Mr. Cook was severely denounced by the Jackson men, but it was entirely justifiable. While Jackson had a majority of three hundred and fifty votes over Adams, the highest opposition candidate, yet he was in a minority of six hundred and eighty-seven votes in the State. Cook was elected to the nineteenth Congress in August, 1824, but he was beaten for the twentieth Congress in 1826 by Joseph Duncan, the Jackson candidate. In 1828 Jackson and Adams were the opposing candidates for President, and out of eight thousand three hundred and forty-four votes in Illinois, Jackson received six thousand seven hundred and sixty-three.

so badly beaten on the Convention Resolution before the people, yet as *Jackson* men they soon found themselves in the majority in the State, controlling everything, while the anti-Convention men, who had won so glorious a triumph for liberty and preserved to the people the blessings of our free constitution, politically went to the wall. The Legislature of 1824-5, instead of electing Governor Coles or some other prominent anti-Convention man Senator, to succeed Ninian Edwards, elected Elias Kent Kane, a strong pro-Slavery and Convention man, for the long term, and John McLean, equally Convention and pro-Slavery, for the short term. Four Judges of the Supreme Court were elected by the same Legislature: William Wilson, Chief Justice, Samuel D. Lockwood, Theophilus W. Smith, and Thomas C. Browne, Justices. The two latter had been Convention men, and Smith one of the most violent and offensive, though one of the ablest in the State. There is nothing stranger than this in our political history.

David Blackwell, having been elected a member of the House of Representatives from St. Clair county, resigned his office as Secretary of State in Oct., 1824. In the following letter Governor Coles offered the position to Mr. Birkbeck.

Governor Coles to Mr. Birkbeck.

EDWARDSVILLE, Sep. 22, 1824.

Dear Sir:—Mr. Blackwell, having been elected a member of the Legislature, has notified me that he shall resign the office of Secretary of State on the 2nd or 3d of next month. The object of this letter is to offer that situation to you. It is desirable that I should hear from you on this subject as soon as possible, and if you should think proper to accept, I wish you to meet me at

Vandalia during the first week of October. It has occurred to me that if the office of Secretary of the State should not be agreeable to you to hold permanently, it would be so at least during the next winter. Be this, however, as it may, it affords me pleasure to have it in my power to give you so strong a proof of the high estimation in which I hold your character, and to gratify the deep rooted attachment of your friend,

EDWARD COLES.

MORRIS BIRKBECK, ESQ.,
Wanborough.

I had hoped after the great and decided majority which was given at the late election against a Convention, my political enemies would have ceased to persecute me. But in this I was mistaken. It would seem I must be sacrificed. Nothing short of my entire ruin will satisfy my enemies, and they seem determined to effect it without regard to the means. Yesterday the suit which has been instituted against me for freeing my negroes was called up for trial. Judge Reynolds not only decided several points of law against me, in opposition to the opinion of several of the best lawyers in the State, but he and Mr. Turney rejected *all* my testimony as illegal, and would not permit a solitary word to be uttered by a witness of mine. Under such circumstances the jury found a verdict of $2,000 against me, which, with the cost, will be a difficult sum for me to raise, these hard times. I shall ask for a new trial. If this application should share the fate of all the others I have made, it is to be hoped he will not assume the power, to prevent my taking an appeal to the Supreme Court.

In haste, your friend,

ED. COLES.

In the following letter Mr. Birkbeck accepted the office tendered:

Mr. Birkbeck to Governor Coles.

VANDALIA, Oct. 9, 1824.

Dear Sir:—I received your favor of Sept. 22, offering me the situation of Secretary of State, and expressing your wish, in case of my accepting the office, that I would meet you at this place

during the first week of this month. Relying on your judgment rather than my own in regard to my qualifications, and feeling great pleasure in the prospect of its affording me the occasion of more frequent friendly intercourse with you, I concluded to accept your proposal, and accordingly arrived here last night. I am truly sorry to learn from Col. Field that you are detained at Edwardsville by indisposition. Waiting for your instructions, I remain, Dear Sir,

Yours most truly,
M. BIRKBECK.

GOV. COLES.

Though the call of a Convention had been largely defeated, yet the pro-Slavery men at the same election elected a majority of the Senate, which had to pass on the Governor's nomination for Secretary of State. They were but too well pleased to be enabled to visit their wrath on Mr. Birkbeck, who had wielded so potent an influence in securing the rejection of their Convention project. His nomination was therefore rejected, and he only held the office for the period of three months, from Oct. 15, 1824, to Jan. 15, 1825. The rejection of Birkbeck by the Senate was utterly unjustifiable, for a better appointment could not have been made. The office at the time he went into it was in a state of confusion and disorder, but during his brief occupancy he reduced it to perfect order and arrangement. Sometime afterwards, speaking of Mr. Birkbeck, Governor Duncan said to a gentleman: "I came to Vandalia with every prejudice against Mr. Birkbeck as Secretary of State, but when I looked into the office and saw the order and management, especially when contrasted with the previous confusion, my opinion was completely changed." This was the only office that

Mr. Birkbeck ever held in the State. Though rejected by a partisan and pro-Slavery Senate, and from motives unworthy of such a body, Illinois was honored by his holding the position even for so short a time. But it was not permitted to Mr. Birkbeck to live to see the development of that State which he had labored so effectually to keep free. On the 4th of June, 1825, on his return to Wanborough from a visit to New Harmony, Indiana, he was drowned while crossing Fox River. His body, taken two days afterwards to New Harmony, was buried with every mark of respect and affection. Thus perished at the age of sixty-two years, Morris Birkbeck, one of the ablest and most cultivated men of his time in Illinois, whose influence wielded in the cause of freedom and humanity should always be gratefully remembered. None of his descendants remained in the State after his death. Two of his sons went to Mexico, some members of his family returned to England, and subsequently removed to Australia.

CHAPTER XVI.

FURTHER CORRESPONDENCE BETWEEN GOVERNOR COLES AND ROBERTS VAUX; IMPORTANT AND INTERESTING LETTER OF THE GOVERNOR ON THE SITUATION; HIS ACCOUNT OF THE MALICIOUS LAW SUIT INSTITUTED AGAINST HIM FOR FREEING HIS SLAVES; HIS NOBLE WORDS IN THE DEED OF EMANCIPATION; THE PREJUDICE OF THE JUDGE; VERDICT AGAINST HIM FOR TWO THOUSAND DOLLARS; CASE APPEALED TO THE SUPREME COURT AND JUDGMENT REVERSED; HIS UNPLEASANT AND EMBARRASSING POSITION; MOBBED BY A RABBLE AT VANDALIA; THE SPIRIT WHICH SUSTAINED HIM AND THE FAITH WHICH UPHELD HIM; BEAUTIFUL TRIBUTE OF MR. VAUX TO GOVERNOR COLES.

The following letter of Governor Coles to Mr. Vaux, has a great historic interest. It illustrates the feeling in the State at the time it was written, and shows the persecution which the Governor was subjected to on account of the decided stand he took on the Slavery question. The lawsuit which he gives so full and interesting an account of, has gone into the judicial annals of the State. The manner in which the prosecution was abetted by the judges, and the political character that was given to it, will forever stain the history of our judiciary. Governor Coles had freed his slaves before entering the State, but after his arrival at Edwardsville, for the better protection of the freedmen, and on the advice of the Hon. Daniel P. Cook, one of the most eminent lawyers of the State in his time, he gave separate papers of manumission to all his former slaves. At this time neither Governor Coles nor Mr. Cook knew anything about a law of the State that had been previously passed, but which was not promulgated till

several months afterwards. This law prohibited any person from bringing into the State any negroes for the purpose of emancipation, unless he should give bonds in the penalty of one thousand dollars that the negro would not become a county charge, and that if the emancipator neglected to give this bond he should forfeit and pay the sum of two hundred dollars for every negro emancipated. Governor Coles had executed papers of manumission to persons, who had been his slaves, after they had been brought into the State, in technical violation of the statute in such case made and provided, and the pro-Slavery men were quick to avail themselves of an opportunity to harass and punish him. A suit was instituted, "The County of Madison *versus* Edward Coles," and the writ was made returnable at the March term of the Circuit Court at Edwardsville, 1824. John Reynolds was the presiding Judge. The defendant plead the Statute of Limitations, and put in several special pleas to plaintiff's declaration. A demurrer was filed by plaintiff to the special pleas. The Court took time to consider, and the case went over to the September term. At this term of the Court John Reynolds again presided. A demurrer to the plea of the Statute of Limitations having been sustained, and the demurrer to the special pleas having been upheld, the defendant pleaded *nil debit*. Issue was joined, and the case was submitted to the jury, who returned a verdict against defendant for two thousand dollars. From a Bill of Exceptions taken during the trial and spread upon the records of the Court, it appears that the defendant, Coles, offered to give in evidence and prove to the jury that three of the negroes mentioned

in the declaration of the plaintiff had departed this life before the commencement of the suit; but the astute Judge would not permit the testimony to be given, thus practically deciding that it was necessary to give a bond to hold the county harmless from the support of *dead men*. The defendant then offered to prove by Joseph Conway, the clerk of the County Commissioner's Court, that the defendant had never been notified or required to give bond, but the Court would not permit such evidence to be given. The defendant further offered to prove by Daniel P. Cook, the attorney under whose advice he acted, the conversation he had with him before the date of certificate of manumission, and that he, Cook, advised the giving of such certificate in order to protect the negroes, and to "enable them to live themselves;" and also to prove by said Cook all the circumstances and conversation between said witness and defendant, which induced and led to the execution of said certificate, all of which evidence was rejected—the record to state that the plaintiff gave in evidence the following certificate:

"Whereas, my father, the late John Coles, of Albemarle, in the State of Virginia, did in his last will and testament give and bequeath to me certain negro slaves, among others Robert Crawford and his sister Polly Crawford, the said Robert Crawford being a mulatto man, about five feet seven inches high, and now about twenty-seven years of age; and the said Polly being a mulatto woman about five feet one inch high, and now about sixteen or seventeen years of age. *And whereas, I do not believe that man can have a right of property in his fellow man, but on the contrary, that all mankind are*

endowed by nature with equal rights, I do, therefore, by these presents restore to the said Robert and his sister Polly, *that inalienable liberty of which they have been deprived*. And I do hereby renounce for myself and my heirs forever all claim of every description whatever to them and their services, and I do hereby emancipate and make free the said Robert Crawford and his sister, Polly Crawford. In testimony whereof, the said Coles set his hand, and seal, on the 19th day of July, 1819."

This act of emancipation executed by Governor Coles and spread upon the records of the Court, stands out to his immortal honor, and makes more conspicuous the infamy of his persecutors.

The motion for a new trial, which had been made in the case at the September term, 1824, was not decided at that term, and the case went over to the March term, 1825. At this term of the court Judge Samuel McRoberts presided. The motion for a new trial in the case which he found undecided, was promptly overruled. Between the term of the court in September, 1824, and the March term, 1825, the Legislature (in January, 1825), passed an act releasing all penalties incurred under the act of 1819 (including those sued for), upon which Coles was prosecuted. The law required as conditions precedent to the release of the penalties, the execution of a bond that the negroes should not become a charge upon any county in the State, and that all the costs of the suit and damages incurred should be paid. To enable the defendant to take advantage of this act at the June term, it was moved at the same term to set aside the verdict and judgment to enable him to plead *puis*

darrien continuance. McRoberts proved equal to this last phase of the case; he overruled the motion for a new trial and rejected the plea, holding that the Legislature could not make a law to bar the recovery of the penalty in this case. The judge, however, was not able to prevent the defendant from taking an appeal to the Supreme Court of the State. This appeal was taken and heard at the June term of the court at Vandalia, 1826. The judgment of the Circuit Court was reversed and the cause remanded, with directions to receive the defendant's plea. Chief Justice Wilson gave an able and elaborate opinion. *Coles, plaintiff in error, versus the County of Madison, defendant in error; Breese's Reports, page 115.* The case was argued before the Supreme Court by Henry Starr for Coles, and Turney and Reynolds for the county of Madison. Henry Starr was at this time residing at Edwardsville, and one of the best lawyers in the State. He was a strong personal and political friend of Governor Coles, and took a deep interest in this case. After being several years at Edwardsville, he returned to Cincinnati, where he attained great eminence in his profession. He died only a few years since.

Governor Coles to Roberts Vaux.

VANDALIA, Jan'y 21, 1824.

My Friend:—While at Edwardsville a few days since, I received a letter from D. B. Smith, notifying me that he had forwarded to the care of I. I. Smith & Co., of St. Louis, certain pamphlets; previous to which, however, I had been informed by one of that company that he expected them, and had requested him to notify me so soon as they should be received, and to forward them to me to this place by the first safe opportunity. I also had the pleasure to receive at Edwardsville the pamphlet

you were so good as to enclose me by mail. The information contained in this pamphlet in relation to the foreign slave trade, is highly interesting. I must, however, be allowed to express my regret that it does not bear more directly on the question, which is now agitating us here, by showing the resemblance between the *foreign* and *domestic* slave trade, and the inevitable effect of the extension of Slavery into new regions, to continue and increase this odious traffic. To add to the circulation of this, as well as the pamphlet I had previously the pleasure to receive from you, I shall, if possible, prevail on some of the editors to publish them in their newspapers. But unfortunately for our cause, of the five newspapers printed in this State, four are the avowed advocates of Slavery (in other words for a Convention) and but one of Freedom, and that one not friendly to me and other opponents of the Convention. This division among us arises from factions, personal and local feelings, and from the circumstance that we have many avowed friends of freedom, who are themselves the masters of slaves; and who, while they unite with us in opposing the means of the further introduction of Slavery, are at the same time violently opposed to our efforts to abolish the remnant of Slavery which is still allowed to stain our soil. There is also another class among us who profess to be opposed to Slavery, and who rail much against it, but yet who are friendly to it, as is fully evinced by their advocating every measure calculated to introduce and tolerate it here. The character and feelings of these several classes of our citizens were strongly exemplified last winter, when, on entering into office, I called the attention of the Legislature to the existence of Slavery among us, and urged its abolition. As it may be the means of throwing some light on the slave question in this State, I will send you, accompanying this letter, a printed copy of my speech, and a report made by a committee of the Legislature on a part of it.

My remarks and recommendation on the subject of slavery produced a great excitement among those who held slaves, or were desirous of holding them, particularly among those advocates of a Convention who were professedly the opponents of Slavery, but secretly its friends, and who hoped under the fair mask of freedom, to deceive the people, and to smuggle in the

monster Slavery. Bringing forward the measure of abolition at the same time they brought forward the Convention question, placed these professed friends to the rights of man in an awkward situation, for it was apparent if they voted agreeable to their declarations, they, together with the real and genuine friends of freedom, would constitute a majority of the Legislature, and of course pass the abolition Bill. This state of things had the effect of unmasking their true opinions and views, and of clearly exhibiting to the public the real object for which a convention was to be called—that of making this a Slave-holding State. For having been instrumental in effecting this, and also for having acted up to my principles in restoring liberty to certain slaves given to me by my father, it would seem I am never to be forgiven, but to be subject to an unrelenting and cruel persecution, which aims to destroy not only my political influence, but my personal character and property. After having resorted to various means to injure my standing with the people, an effort is now made to cripple my pecuniary resources, and thus to disable me from promoting the cause of freedom, and of punishing me for what I have done in this way. A suit has been recently instituted against me to recover the penal sum of $200 for *each* negro emancipated and brought by me to this State. This suit has been brought under a law passed about the first of April, 1819, which prohibited any person from bringing into this State any negro for the purpose of emancipation, unless he would give bond under a penalty of $1,000 that the negro should not become a county charge, and that if the emancipator neglected to give this bond he should forfeit and pay the sum of $200 for each negro emancipated. My negroes emigrated to and settled in this State about *one month after* the passage of this act, but more than *five months before* it was printed or promulgated. To the peculiar hardship of my case, from the impossibility of knowing of the existence of the law, until after I had violated its provisions and incurred its penalty, is to be added the fact of my not being content with freeing the negroes in Virginia, and thus relinquishing more than one-third of the property given me by my father, but from a desire to promote their interest, removed them to this State, at an expense of between five and six hundred dollars, and then gave them as a remunera-

tion for their past services, and a stimulous to future exertion, one hundred and sixty acres of land to each who had passed the age of 24. They all behaved uniformly well, and are honest, industrious and prosperous. And what is truly farcical in this suit is that it has been instituted at the instance of a worthless fellow, the tool of a faction, who is destitute of property, and pays no tax, and of course has no direct interest whether the negroes become a county charge or not, when they are all young and healthy, and so prosperous that one of the families pay as much as *four* dollars as a tax to the county. Never having been sued before, I feel the more mortified at being prosecuted for violating the laws of a State over which the people have called me to preside, but this mortification is considerably abated when I reflect on the nature of my offense, and the character of the prosecutors.

About the time of instituting this suit I had the misfortune to lose by fire about two-thirds of all the buildings and enclosures on my farm. Soon after which the "State House" was also consumed by fire. The inhabitants of this place, feeling that they had an interest in its being immediately rebuilt, proposed to do so by contribution. After my recent loss by fire, and with this suit hanging over me, I did not feel myself in a situation to be very liberal; and not liking some of the arrangements, proposed an alteration of them, and in the meantime declined subscribing. This was immediately seized hold of by the friends of a Convention, who formed a mob, and paraded the streets nearly the whole night, giving vent to their spleen against me for my opposition to a Convention, and refusal, as they termed it, to rebuild the State House. In this way every little circumstance is laid hold of to render me unpopular; but in this case their passions led them too far, as their conduct has produced on the community a reaction which has been of service to me, and the cause I advocate. Discovering this, they now deny having had anything to do with the mob.

Having had the good fortune, through every period of my life, to live in great harmony with my fellow man, the enmity and persecution I have lately had to encounter, have created a new state of feeling, and caused me to look into my own conduct to see whether it has been correct. In this review I have been

gratified to find I have not given just cause of offense to any one; but I have been grieved to perceive with what virulence I have been pelted, when the only complaint against me is, that I am a friend to the equal rights of man, and am considered a barrier to my opponents acquiring the power of oppressing their fellow men. Under this view of my situation, I am gratified that Providence has placed me in the van of this great contest; and I am truly thankful that my system is so organized as to leave no room for doubt, fear or hesitation. My opinions have long since been maturely formed, and my course deliberately taken, and is not now to be changed by detraction, prosecutions, or threats of "*Convention or death.*"

I beg you excuse my troubling you with the perusal of so long a letter, and that you will pardon me for having said so much of myself, in consideration of its connection with the great question now agitating this State, by interesting yourself in which you have displayed so signal and praiseworthy an instance of your benevolence—for which I pray you to accept the grateful thanks of your friend,

EDWARD COLES.

To ROBERTS VAUX,
Philadelphia.

This letter of Governor Coles, written in the confidence of private friendship, now made public after a period of nearly sixty years, will show to the people of Illinois at the present day the extent of his persecution for "righteousness sake." Harassed by malicious lawsuits, a victim of the prejudices of unjust judges, mobbed by a rabble, maligned and misrepresented in every possible way, his position was one of the most unpleasant and embarrassing in which a public man can find himself. But armed with the panoply of truth and justice, and battling in a great and holy cause, he was never dismayed or discouraged. The spirit which sustained him, and the faith which upheld him,

are manifested in the following extract from the above letter to Mr. Vaux:

"Having had the good fortune through every period of my life, to live in great harmony with my fellow men, the enmity and persecution I have lately had to encounter, have created a new state of feelings and caused me to look into my own conduct, to see whether it has been correct. In this review I have been gratified to find I have not given just cause of offense to any one; but I have been grieved to perceive with what violence I have been pelted, when the only complaint against me is that I am a friend to the equal rights of man, and am considered a barrier to my opponents acquiring the power of oppressing their fellow-men. Under this view of my situation, I am gratified that Providence has placed me in the van of this great contest, and I am truly thankful that my system is so organized as to leave no room for doubt, fear or hesitation. My opinions have long since been maturely formed, and my course deliberately taken, and is not now to be changed by detraction, persecution, or threats of "*Convention or death.*"

This letter of January 21, 1824, was answered by Mr. Vaux July 14, 1824, by a letter containing the following most beautiful and just tribute to Governor Coles:

"The part which thee has been called to act, privately as well as publicly and officially, in regard to the rights of mankind, and for the upholding of the principles of justice, and mercy toward a degraded and oppressed portion of our fellow beings, ought to be regarded as a manifestation of Providential power, concerning which we must always believe the same Divine interposition will be extended in every exigency. I am altogether satisfied that it is reserved for thee to witness the triumph of truth and beneficence in the struggle to which thee has been exposed; and, what is of infinitely greater value, as it respects

thyself, to reap a plentiful harvest in the most precious of all rewards, the approbation of Heaven!

I feel a deep interest in thy character, and a lively gratitude for thy service, and it will always be among the purest consolations of my mind to be assured of thy welfare and happiness."

CHAPTER XVII.

LETTER OF ROBERTS VAUX TO GOVERNOR COLES; LIEUTENANT-GOVERNOR HUBBARD ATTEMPTS TO USURP THE OFFICE OF GOVERNOR; DEFEATED BY THE SUPREME COURT, AND FAILS IN THE LEGISLATURE; LETTER OF GOVERNOR COLES TO ROBERTS VAUX; ENFORCES HIS VIEWS ON SLAVERY IN A LETTER TO JOHN RUTHERFORD; VIEWS ON THE PARDONING POWER IN A LETTER TO DANIEL HAY; AN EXTRA SESSION OF THE LEGISLATURE CALLED; GOVERNOR COLES' MESSAGE; HIS RECOMMENDATIONS; VISIT OF LAFAYETTE TO ILLINOIS; LETTER OF LAFAYETTE TO GOVERNOR COLES; GOVERNOR COLES SENDS HIS AID, COL. HAMILTON, TO MEET HIM; NOTICE OF COL. HAMILTON; RECEPTION OF GEN. LAFAYETTE AT KASKASKIA.

Roberts Vaux to Governor Coles.

PHILADELPHIA, 6 Mo., 14, 1824.

Esteemed Friend:—My delay in the acknowledgment of the receipt of thy truly interesting letter of Jan'y 21, last, will not, I trust, be attributed to any want of respect and kindness, but to the real causes, which were, first, an unusual press of business relative to several public institutions, which at the season of the receipt of that communication demanded my attention; and secondly, to the expectation subsequently entertained here, that thy presence might be expected at Washington as successor in the Senate of the United States to N. Edwards, appointed on a foreign mission. The likelihood that the latter event might bring us to a *personal* acquaintance in this city, when the session of Congress should terminate, was contemplated with pleasure, since a direct interchange of opinion would be preferred to epistolary correspondence. Time, however, has served to show that this prospect with many others upon which we dwell with satisfaction, failed of realization, and I therefore avail myself of the only means which are left to renew the assurance of my remembrance, of my undissembled regard, and of my sincere sympathy. The part which thee has been called to act privately, as well as publicly,

and officially, in regard to the rights of mankind, and for the upholding of the principles of justice, and mercy toward a degraded and oppressed portion of our fellow beings, ought to be regarded as a manifestation of Providential power, concerning which we must always believe the same Divine interposition will be extended in every exigency. I am altogether satisfied that it is reserved for thee to witness the triumph of truth and beneficence in the struggle to which thee has been exposed; and, what is of infinitely greater value, as it respects thyself, to reap a plenteous harvest in the most precious of all rewards, the approbation of Heaven!

I feel a deep interest in thy character, and a lively gratitude for thy services, and it will always be among the purest consolations of my mind to be assured of thy welfare and happiness; with these impressions I salute thee, and remain faithfully,

Thy Friend,

ROBERTS VAUX.

To EDWARD COLES,
Governor of Illinois.

P. S.—I yesterday passed half an hour with our friend, N. Biddle; he is well, but very much occupied with official duties at the bank.

Roberts Vaux to Governor Coles.

BIRDWOOD LODGE, 9 MO. 1, 1824.

Dear Friend:—The last intelligence from Philaelphia is, that the great question which has so long agitated your State, and which had a bearing so important upon the common interests of humanity and justice, has been determined. Happy for your commonwealth! Creditable for our country! Slavery will not be permitted to overrun Illinois! The result of the conflict is truly joyous; you have said to the moral plague, "*Thus far, but no farther, shalt thou come.*"

My warmest congratulations are tendered on this great event, though I know how inferior all exterior circumstances must be in comparison with the heart-solacing reward which is reaped by thy devotedness in this noble cause.

Since I have been at my summer residence, I have received several numbers of an Illinois newspaper, and a pamphlet from

the same quarter, all which contained highly interesting matter relative to the question then undecided in your State; I presume I am indebted to thy kindness for those documents, for which I feel greatly obliged. The letter of Thos. Jefferson addressed to thyself, is very interesting, and I have it in contemplation to cause it to be printed in a tract form, for general distribution, provided such use of it, may be altogether agreeable to thee.

I have indulged myself with a hope that it may be within the range of probability, that thee will make a visit to Philadelphia ere long. Not anything would give me more pleasure than thy presence in our city, and that gratification would be increased by thy making my house thy home. I have much more to communicate than I have leisure now to put on paper, as we are today preparing to return, on the morrow, to our house in town.

With sincere regard I remain thy friend,

ROBERTS VAUX.

To EDWARD COLES,
Governor of Illinois,
Edwardsville.

The following letter giving an account of the absurd attempt of Lieutenant-Governor Hubbard, to usurp the office of Governor, will revive the history of a strange and ludicrous transaction. It also alludes to the libel suits instituted against the Governor for his just criticisms on the scandalous conduct of the judge who tried the case against him for freeing his slaves.

On the 22nd of June, 1825, Governor Coles notified Lieutenant-Governor Hubbard that he would be absent from the State after the 18th of July, and that the duties of the Executive would devolve on him during his absence, which would not be longer than about three months. Coles returned to the State on the 31st of October, 1825, and entered on the discharge of his duties, being recognized as Governor by all the Execu-

tive officers of the State. Hubbard having been the acting Governor for about ten weeks, and being pleased with his position, concluded that it would be a good thing to hold on to it. He therefore set up the claim that Governor Coles, by absenting himself from the State, had abdicated and forfeited the office, and that he, as Lieutenant-Governor, was entitled to it. On the 2nd of November, and two days after Coles had assumed the duties of his office, Hubbard issued a commission appointing Wm. L. D. Ewing Paymaster General, and requested the Secretary of State to countersign and seal the commission. This the Secretary, George Forquer, refused to do. Then Ewing applied to the Supreme Court for a *mandamus* to compel Forquer to sign his commission, and the motion was heard by the full court at Vandalia, at the December term, 1825. The court assumed that its decision would decide the question whether Coles or Hubbard was Governor of the State. Able opinions were given by Justices Lockwood and Smith, and the court unanimously decided that it would not award the mandamus. Hubbard then went to the Legislature, but with no better success than he had before the Court. Not much is now known of "Lieutenant Governor Hubbard."

In 1826 a new election for Governor took place, and there were three candidates—Ninian Edwards, Thomas C. Sloo, and Adolphus Frederick Hubbard. The latter gentleman having failed to step into the shoes of Governor Coles, offered himself as a candidate before the people. As a part of a picture of the times and as illustrative of what a candidate thought of himself and

of the people, Governor Ford, in his history of Illinois gives one of Hubbard's speeches in the canvass. "Fellow citizens," said he, "I offer myself as a candidate before you, for the office of Governor. I do not pretend to be a man of extraordinary talents; nor do I claim to be equal to Julius Caesar, or Napoleon Bonaparte, nor yet to be as great a man as my opponent, Governor Edwards. Nevertheless, I think I can govern you pretty well. I do not think it will require a very extraordinary smart man to govern you; for to tell you the truth, fellow citizens, I do not believe you will be very hard to govern no how."

Lieutenant-Governor Hubbard was at Washington in the winter of 1824, and at the time that Ninian Edwards resigned his seat in the Senate on being appointed Minister to Mexico. He took it into his head that he could advance his own fortunes by this resignation, and he prevailed on the Senator to entrust him with his letter of resignation to take in person to Governor Coles. As to how he proceeded, I will let Governor Coles speak, in a letter to his brother-in-law, the Hon. Andrew Stevenson, afterwards Speaker of the United States House of Representatives, and dated April 7th, 1824:

"On the last day of March the Lieutenant-Governor of this State (Hubbard) arrived here from Washington, where he had been on a visit, bringing me the official notice of the resignation of Ninian Edwards. *He told me* Mr. Cook and Mr. Edwards had induced him to come on, under the belief that I would either resign my office and accept a seat in the Senate from him, or confer it on him. It was with some difficulty that I could restrain my indignation at the idea of thus sneaking into the Senate, or of sending to it such a simpleton as my Lieutenant."

From the speech of Hubbard above quoted, and from what is generally known of him at the present day, I think the verdict will be that Governor Coles was right when he called him a "simpleton."

Governor Coles to Roberts Vaux.

VANDALIA, Illinois, February 8, 1826.

My Dear Sir:—When I had the happiness to enjoy your society last summer in Philadelphia, you were so kind as to express a wish to hear from me on my return to this State. I should long since have fulfilled the promise then made you to comply with this request, which I felt was as flattering to me, as it was kind in you; but for a mass of business which had accumulated during my absence, the preparation for the meeting, and the labor and interruption attendant on the session of the Legislature, which adjourned a few days since; and the novel and extraordinary efforts made by some of my old political opponents to supplant me in the office of Governor, by thrusting in my place the Lieutenant-Governor, a zealous and thorough-going advocate of Slavery. I had heard nothing of this intention (for although many letters were written to me, it so happened not one ever came to hand, or has since been heard of) until I reached Louisville on my way home, when I was told by a friend that he had been informed by a distinguished opponent of mine that it had been determined that I should not be permitted to resume the office of Governor. On my arriving in the State, I found that there had been several caucuses held in different places, by what are called the knowing ones, for the purpose of devising the best mode of proceeding, and of organizing their forces to act against me. All the Executive officers of the State recognizing me as Governor, I found no difficulty in entering at once on the duties of the office. The Lieutenant-Governor, however, still remained at the seat of Gov't, contending that I had vacated the office by my absence from the State, and that he was, under the constitution, the acting Governor. On the meeting of the Supreme Court he applied for a mandamus against the Secretary of State. The court refused the mandamus on an incidental point, and got rid of the main

question without deciding it. Soon after this the General Assembly met, and efforts were made to induce it to recognize the Lieutenant as the acting Governor; but these efforts having failed, he made a communication to both Houses, setting forth his claims to the office of Governor, and asking to be heard by himself or counsel in support of them. Nothing was done with this communication, there being only *one* member in *each* House openly in favor of the Lieutenant-Governor's pretensions. There would doubtless have been more if there had been any prospect of ousting me. I attribute the unexpected unanimity to the circumstance of the question having been stirred in time to afford the people an opportunity of making known their opinions and feelings to their Representatives, previous to their leaving home to take their seats in the Legislature. The current of public opinion on this question was too strong in my favor to be resisted by any but a most desperate antagonist. This effort of my opponents has recoiled very much to my advantage, in weakening their popularity, and adding to the strength of mine.

You will recollect my having shown you last summer some strictures, which I had been induced to publish on the judge's opinion in the malicious suit which had been instituted against me for freeing my negroes, in consequence of several extraordinary errors of fact, as well as of law, which it contained, and the unusual pains taken by the judge to publish and circulate these errors to my injury. Two actions have been instituted against me for this publication—one by the court—the other in the name of the judge as an individual, in which he has laid his damages at $5,000. The former is to be tried at Edwardsville next month—the latter at this place in April. The original suit, or mother of the judge's twin suits, is still pending in our Supreme Court, and is expected will be decided at the June term. I trust I shall get rid of all of these suits in the course of the spring and summer. I feel the more anxious to do so as they are the first suits that ever were instituted against me.

I have not heard anything of the pamphlets which you were so good as to promise to send me. I shall go to St. Louis in about a month, when I hope to receive them. I see noticed in the public prints a new pamphlet, published by G. and C. Carville,

at New York, on the emancipation and removal of the slaves of the U. S. If you could conveniently lay your hands on this pamphlet, you would confer a favor on me by sending it to me by mail. May I ask the favor of you to hand to Mr. Fry the enclosed five dollar note, and request him to forward the National Gazette to William Wilson (Chief Justice of the State) Carmi, White county, Illinois.

I beg you to present my kind regards to Mrs. Vaux, and to accept my grateful acknowledgments for your very kind and truly friendly attentions to me while in Philadelphia; and permit me again to renew to you the assurances of my obligations to you for the services rendered to humanity and to Illinois during the late vile effort to prostitute their rights and character, and to repeat that the virtuous and benevolent interest you evinced on that occasion will ever endear you to

EDWARD COLES.

ROBERTS VAUX, Esq.,
Philadelphia.

The above letter of Governor Coles contains further evidence of the judicial persecution to which he was subjected. In a temperate article in a newspaper he made a legitimate criticism on some of the outrageous and indefensible rulings of Judge McRoberts, in the case of Madison county against him, for freeing his slaves in the State, without giving bonds. Eagerly seizing hold of this publication, the Judge had the gross indelicacy to go before the Grand Jury of his own Court, and by virtue of his official influence and position he procured an indictment for libel against Governor Coles. As that was not enough, he commenced a civil suit against the Governor, laying his damages at five thousand dollars. This action of McRoberts was as malicious as was the suit of Madison county, as the sequel proved. A *nolle prosequi* was entered in the case of the indictment and the civil suit was never

brought to trial. The following letter of Governor Coles to A. Cowles, the Circuit Attorney, shows that he never consented to the dismissal of the indictment, and that he was determined to probe McRobert's conduct to the bottom. It is to be regretted that the answer of the Circuit Attorney is not to be found to publish with the letter of Governor Coles.

EDWARDSVILLE, Aug. 16, 1826.

Dear Sir:—Believing that I should have been able to prove that I had not libeled Judge McRoberts, and explain how the Grand Jury had been induced to present me for so doing, it was with great regret that I heard you had thought proper to dismiss the prosecution. Fearing that some malicious person may misrepresent this transaction at some future day, when those who now understand it may have forgotten many of the details in relation to it, or perhaps be dead, or have removed from the country, I have determined to ask the favor of you to give me a written answer to the following questions:

Did you summon or request Judge McRoberts to appear before the Grand Jury, which presented me for libeling him?

Did not Judge McRoberts request to see the indictment before it was delivered to the Grand Jury, and did he not examine and alter it, and if so what were the alterations made by him?

Did you ask Mr. Blackwell to aid you in the prosecution of me, and do you know whether he was employed by Judge McRoberts to do so?

As you have expressed the opinion verbally to several persons, that I had not libeled Judge McRoberts, I ask the favor of you to give me your opinion in writing, whether the matter contained in the indictment was a libel?

With great respect, I am &c., &c.,

EDWARD COLES.

A. COWLES, Esq.,
Circuit Attorney,
Edwardsville.

P. S.—Why was not Judge McRoberts returned as a witness, on the back of the indictment?

What will be remarked in regard to Governor Coles, is that the subject of Slavery was always uppermost in his mind, and that he lost no opportunity in enforcing his views. The following letter to his brother-in-law, John Rutherford, who had just been elected to the Virginia Legislature, exhibits the deep interest he felt in ameliorating the conditions of Slavery in his native commonwealth of Virginia.

Extract from a letter from Governor Coles to John Rutherford.

VANDALIA, July 5, 1826.

I give you many thanks, my dear Sir, for your long and truly affectionate letter of February, and assure you, I feel great contrition for having so long delayed the expression of them, and of saying how much gratified I was at perusing your kind letter, and the glad tidings it gave me of the health and happiness of our dear Emily and her little ones; and also the pleasure I have since derived at finding from the newspapers in what a flattering manner your fellow citizens have elected you to represent them in the Legislature.

I am greatly gratified at your election, not only from the regard I have for you as a man, &c., and the consequent interest I take in, and the pleasure I derive from your success; but I am particularly so in seeing men of your principles in relation to negro Slavery in the Councils of Virginia, as it cheers me with the hope that something will soon be done to repudiate the unnatural connection which has there so long existed between the freest of the free and the most slavish of the slaves.

Even if it were feasible, from the extraordinary apathy in the great mass of the people, and the zeal displayed by many to perpetuate the evil, I could not hope for speedy emancipation, but I do trust for the honor as well as interest of the State that ameliorating laws will be speedily passed, which will gradually have the effect of reconciling and habituating the masters, and preparing the slaves for a change which, as Mr. Jefferson says, must sooner or later take place with or without the consent of the masters. It behooves Virginia to move in this great question; and it is a

solemn duty which her politicians owe to their country, to themselves, and to their posterity, to look ahead and make provision for the future, and secure the peace, prosperity and glory of their country.

The policy of Virginia for some years past has been most unfortunate. So far from acting as if Slavery were an evil which ought to be gotten rid of, every measure which could be taken has been taken to perpetuate it, as if it were a blessing. Her political pilots have acted like the inexperienced navigator, who, to get rid of the slight inconvenience of the safety-valves have hermetically sealed them, not foreseeing that the inevitable consequence will be the bursting of the boiler, and dreadful havoc among all on board. No law has been passed under the *commonwealth* to ameliorate the black code of the *colony* of Virginia; on the contrary, new laws have been passed, adding to the oppression of the unfortunate negroes, and which have not only abridged the rights of humanity, but of the citizen. Such is the character of the law which restricts, and to a great degree prohibits the master from manumitting his slaves. The idea should be ever present to the politicians of Virginia, that the state of Slavery is an unnatural state, and cannot exist forever; it must come to an end by consent or by force; and if by consent, it must from all experience, as from the nature of things, be preceded by ameliorating laws, which will have the effect of gradually and imperceptibly loosening the bonds of servitude.

Nothing is more erroneous than the idea which is entertained by many, that ameliorating laws, and especially manumissions, are productions of insurrections among the slaves. The history of the British and Spanish West Indies shows that in those Islands where they have prevailed most, the slaves have behaved best, and insurrections have occurred oftenest where the slaves have been most oppressed and manumissions most restricted. Indeed, we never hear of insurrections in the Spanish Islands, where the slaves are most under the protection of the law, and where there are no restrictions on manumissions. Virginia should repeal the law against emancipation, prohibit the domestic slave trade—which is nearly allied in all its odious features to the African slave trade—restrict the power of the master in disposing of his slaves,

by preventing him from separating the child from its parent, the husband from his wife, etc., and if possible, connect the slave under proper modifications to the soil, or at least to the vicinity of his birth; instruct the slaves especially in the duties of Religion; extend to them the protection of the laws, and punish severity in the master, and when cruelly exercised by him, it should vest the right in the slave to his freedom; or to be sold at an assessed valuation. These and many other provisions might be adopted which would have a most salutary effect, and especially the Spanish provision, which gives the right to the slave to buy a portion of his time as soon as he can procure the means, either by his own labor or by the bounty of others; thus, for instance, suppose a negro worth $600, on his paying $100, he is entitled to one day in each week, and so on. In connection with the emancipation of slaves, I should provide for the removal by bounty and otherwise, of free negroes from the country, as the natural difference, and unfortunate prejudices existing between the whites and blacks would make it the interest of both to be separated. This subject is too big for a letter, and I can only add, that if I could see ameliorating laws adopted, if I did not live to see the emancipation, I should at least die with the happy consolation of believing that measures were in progress for the consummation of ultimate justice to the descendants of the unfortunate African; and that my country, and the descendants of my family, if not my nephews and nieces, would lie down in peace and safety, and would not have entailed on them an unnatural and odious system productive of strife, enmity and war, between themselves and their domestics. I was in hopes to have been able by this time to have informed you and my other friends of the result of the malicious suit instituted against me for freeing my negroes, and which is pending in our Supreme Court. The case was argued last week, but the court has adjourned to the 1st Monday of January next, without deciding it. I was much disappointed in not getting a decision; I have however but little fear as to the result.

The views of Governor Coles on the pardoning power, which we give in the following letter, are worthy

of the fullest consideration by all vested with such authority.

Governor Coles to Daniel Hay.

VANDALIA, Sept. 17, 1824.

Dear Sir:—Your letter of the 11th inst., with the accompanying documents, has just been received, and has produced, as you may imagine, some embarrassment. The power of pardoning is the most unpleasant duty which devolves on the Executive. *It is not proper that he should so exercise this power as to arrest and defeat the regular course and intent of the law, but that it should be only used as a shield to protect the unfortunate in extraordinary cases of hardship, when the law has an operation not intended or contemplated.* I do not feel myself sufficiently acquainted with the circumstances of the case now presented to decide whether it is one of that extraordinary character which would justify the Executive in arresting the sentence pronounced upon it by the proper tribunal. To give time for the receipt of further information, and more reflection, and to afford an opportunity for further development of the guilt or innocence of the parties concerned, in the trial of the other two Shipleys, which it is presumed will take place in Nov. next, I have determined to suspend the execution of the sentence of the court until the 15th of Dec., before which time it is hoped every necessary information will be received to enable me to act correctly on the subject. In the meantime, those who take an interest in the case will have an opportunity of making the facts and their wishes known; and I shall have it in my power of seeing and conversing on the subject with Judge Wilson, yourself and other persons, who will assemble at Vandalia at the meeting of the General Assembly.

Accompanying this letter I send a reprieve of Cotner, as stated above, until Dec. 15.

In haste, I am, with much respect, your friend,

EDWARD COLES.

DANIEL HAY, Esq.

Owing to a defect in the law for the election of electors for President and Vice President of the United

States, Governor Coles was obliged to convene an extra session of the General Assembly, to meet prior to the time fixed for the regular session. This extra session was called for November 18, 1824, and its duty was to "legalize and render effective the vote of the State in the election of a President and Vice President of the United States," and to afford "an earlier opportunity of electing a Senator to the Congress of the United States in the place of Ninian Edwards."*

The message sent by Governor Coles to this extra session of the General Assembly, is one of the ablest and most statesman-like documents ever transmitted by any Governor of the State. Admirable in temper and style, it is marked by wise and sagacious recommendations. He called attention to "the remnant of African Slavery which still existed in the State," and entreated the Assembly, in view of the rejection of the people of the principle and policy of personal Slavery, to make provision for its speedy abolition. He adverted to the infamous black laws then in existence, and the ineffective and inefficient laws against the unnatural crime of kidnapping. "To put an end to that nefarious traffic is the imperious duty of the Legislature. There can come before you no subject with a more direct appeal to the generous feelings of humanity, or with stronger claims on your sense of justice, than the exposed and defenseless condition of free persons of color." The stay-laws were strongly condemned, and the Assembly was urged to repeal them. The interference of the Legislature with contracts, he said, "had

*Mr. Edwards had resigned his seat in the Senate to accept the appointment of Minister to Mexico. John McLean, a pro-slavery and Convention man, was elected to fill out his vacancy.

a tendency to destroy punctuality, to impair confidence and injure the character of a community. It is not less the duty than the true policy of a Government strictly to comply with all its own engagements, and to enforce punctuality upon its citizens. It should then be borne in mind that character is capital, and that a people desirous of increasing their resources and promoting their prosperity, should preserve their faith inviolate."

On the subject of education, the Governor says:

"There is no subject claiming the attention of the Legislature of more vital importance to the welfare of the State, and its future greatness and respectability, than the provision which should be made for the education of the rising and succeeding generations. Intelligence and virtue are the main pillars in the temple of liberty. A government founded on the sovereignty of the people, and resting on, and controlled by them, cannot be respectable, or even long endure, unless they are enlightened. To preserve and hand down to a continuous line of generations, that liberty which was obtained by the valor and virtue of our forefathers, we must make provision for the moral and intellectual improvement of those who are to follow us, and who are to inherit and have the disposal of the inestimable boon of self-government."

In this message the Governor renewed his recommendation in regard to the Illinois and Michigan Canal, and gave to the General Assembly some excellent advice touching the selection of judges. He said:

"It is one of the most important and responsible duties you will have to perform during the present session, when it is recollected that the judges are now to be appointed during good behavior—that they will occupy the most important station in society, that our lives and fortunes may depend on their wisdom and virtue—it should awaken in the members the most serious reflections on the importance of their choice and their obligations

to lay aside personal prejudices and partialities, and assiduously endeavor to select the best men—those distinguished for their capacity, their acquirements, and their moral character."

The great event during Governor Coles' administration was the visit of Lafayette to Illinois, in May, 1825. In the month of December previous, the Legislature of the State had extended to the General a most cordial and pressing invitation to visit Illinois. This invitation was forwarded by Governor Coles, accompanied by an appropriate letter. It is a singular fact, that Lafayette found as Governor of Illinois, the young man whose acquaintance he had made in Paris only seven years before. In answering the invitation of Governor Coles, Lafayette expressed all the happiness he felt in finding the Chief Magistrate of Illinois a personal friend, whom he requested to receive the assurances of his affectionate regard.

General Lafayette from New Orleans wrote the following letter, a *fac-simile* of which is inserted:

Lafayette to Edward Coles.

NEW ORLEANS, April 12th, 1825.

My Dear Sir:—Notwithstanding many expostulations I have received on the impossibility to perform between the 22nd of February, and the 15th of June, the tour of visits which I would have been very unhappy to relinquish, for we arrived thus far, my companions and myself, and I don't doubt but that by rapid movements, can gratify my ardent desire to see every one of the Western States, and yet to fulfill a sacred duty as the representative of the Revolutionary Army, on the half secular jubilee of Bunker Hill. But to do it, my dear Sir, I must avail myself of the kind indulgent proposal made by several friends to meet me on some point near the river, in the State of Illinois—I will say, could Kaskaskia or Shawneetown suit you to pass one day with

Half Secular Jubilee of Burns 1859

Instead of the kind indulgent proposal made by several friends to me

me? I expect to leave St. Louis on the 29th of April, but being engaged to a day's visit at Gen. Jackson's, I might be at Shawneetown on the 8th of May, if you don't take me directly from St. Louis to Kaskaskia or some other place. Excuse the hurry of my writing, as the post is going, and receive in this private letter, for indeed, to the Governor I would not know how to apologize for so polite proposals, receive, I say, my high and affectionate regard.

LAFAYETTE.

Will you be pleased to forward the enclosed letter.
His Excellency, GOVERNOR COLES, Illinois.

On the 28th of the same month Governor Coles addressed the General the following letter, a *fac-simile* of which is also inserted:

EDWARDSVILLE, April 28, 1825.

Dear Sir:—This will be handed to you by my friend and aid-de-camp, Col. William Schuyler Hamilton,* who I take partic-

*A word as to Wm. S. Hamilton may not be amiss, as he was one of the earliest settlers of Illinois, and lived in the State during the administration of Governor Coles. He was appointed by the Governor as his aid-de-camp, with the rank of Colonel, soon after his installation into office. He was the son of ALEXANDER HAMILTON, and his name was William Stephen, not William *Schuyler* Hamilton, as written by Governor Coles. He was born in New York, August 4, 1797, and was admitted to the West Point Military Academy in 1814, and resigned in 1817. He left his home in New York and settled at an early day in Sangamon county, Illinois. He was United States Deputy Surveyor of the Public Lands, and in that capacity surveyed the township in which Springfield now stands. In 1824 he was elected a member of the House of Representatives from Sangamon county. In 1827 he emigrated from this State to the "Fever River Lead Mines." He commenced mining for lead ore at a point soon known as "Hamilton's Diggins," now Wiota, in Lafayette county, Wisconsin. I knew Colonel Hamilton well from 1841 to 1849, when he emigrated to California. He occupied a prominent position in Southwestern Wisconsin, and was a well-known Whig politician. He was a member of the House of Representatives in the Territorial Legislature of Wisconsin in 1842-3. He died in Sacramento, California, October 9, 1850. For nineteen years neither stone nor slab marked the spot where reposed his ashes. When the careless grave-digger threw his shovelfuls of earth on his coffin, little could he have thought he was covering the remains of a son of Alexander Hamilton, in my judgment the greatest of all American statesmen. Colonel Hamilton was brave, generous, hospitable and humane; and unusually quick in perception and decided in action. In 1879, Cyrus Woodman, Esq., of Cambridge, Massachusetts, who was long a resident of Mineral Point, Wisconsin, and a devoted friend of Colonel Hamilton, purchased a lot in the cemetary of Sacramento, and



the pleasure in introducing to you, as the son of your old and particular friend, Gen. Alexander Hamilton. As it is not known when you will arrive at St. Louis, or what will be your intended route from thence, Col. Hamilton is posted there for the purpose of waiting on you as soon as you shall arrive, and ascertaining from you, and making known to me, by what route you propose to return to the eastward, and when and where it will be most agreeable for you to afford me the happiness of seeing you and welcoming you to Illinois.

I am, with the greatest respect and esteem, your devoted friend,

EDWARD COLES.

GEN. LAFAYETTE.

At the reception of Lafayette in Kaskaskia, Governor Coles made the address of welcome. It was admirable in style and expression, and the Governor on the occasion gave utterance to the ruling sentiment of his life. He spoke of the progress of our country's greatness, and the arrival of the period when the philanthropist might look with confidence to *the universal restoration of man to his long lost rights, and to that station in the Creator's work, and that moral eleva-*

marked the grave with granite head and foot-stones. In the polished surface of the head stone he placed the following inscription:

COL. WM. S. HAMILTON,
SON OF
GENERAL ALEXANDER HAMILTON,
WAS BORN IN NEW YORK,
AUG. 4, 1797.
HE WAS AN EARLY SETTLER AND PROMINENT
CITIZEN OF WISCONSIN.
COMING TO CALIFORNIA IN 1849,
HE DIED HERE OCT. 9,
1850.
IN SIZE AND FEATURE,
IN TALENT AND CHARACTER,
HE MUCH RESEMBLED HIS ILLUSTRIOUS
FATHER.

A FRIEND ERECTS THIS STONE.

tion to which he was destined.'' Though the seat of government had been removed from Kaskaskia, and the sceptre of empire which had been wielded there for almost a century and a half was about passing away, there yet resided in the town many men whose names have gone into the history of the State. Among those who participated in the reception ceremonies were General Edgar, Gov. Bond, Judge Nathaniel Pope, Elias Kent Kane, Lt. Gov. Menard, Col. Thomas Mather and Sidney Breese.

CHAPTER XVIII.

VALEDICTORY MESSAGE OF GOVERNOR COLES; HIS TRIBUTE TO THOMAS JEFFERSON; HIS RECOMMENDATIONS TO THE LEGISLATURE; THE "BLACK CODE;" STRENGTH OF PRO-SLAVERY SENTIMENT IN THE STATE; OVERWHELMED IN 1854; THE CHARACTER OF GOVERNOR COLES' ADMINISTRATION; AFFAIRS OF THE STATE ABLY, CAREFULLY AND CONSCIENTIOUSLY ADMINISTERED; EXTRACT OF HIS LETTER TO COLONEL HAMILTON; BECOMES A CANDIDATE FOR CONGRESS IN 1831; HIS ADDRESS TO THE PEOPLE; BEATEN BY JOSEPH DUNCAN, THE JACKSON CANDIDATE; APPRECIATION OF GOVERNOR COLES BY JUDGE GILLESPIE AND JUDGE CATON; COLES COUNTY NAMED AFTER HIM; REMOVES FROM THE STATE AND SETTLES IN PHILADELPHIA IN 1833; MARRIES MISS ROBERTS; THE CHARM AND HAPPINESS OF HIS PRIVATE LIFE; HIS GRACIOUS HOSPITALITY; INTEREST IN GOOD WORKS; HIS HISTORY OF THE ORDINANCE OF 1787; DEATH IN 1868.

THE valedictory message of Governor Coles was sent to the Legislature on the 5th of December, 1826. It is mainly devoted to the affairs of the State. He made however, a touching allusion to the deaths of Thomas Jefferson and John Adams on the 4th of July preceding, "thus sanctioning by their deaths, a day rendered glorious by the most important event of their lives, and in the history of their country." To Mr. Jefferson, to whom he was allied by so many ties of sympathy and of friendship, he paid a just and eloquent tribute, describing him as a "sage and a philanthropist, as a Statesman and a patriot, the author of the Declaration of Independence, the great political reformer to whose strong, bold and original genius, we are in a great degree indebted for our civil and religious freedom

and for our correct understanding of the *rights of men* and of nations." Mr. Jefferson's bold and outspoken sentiments on the subject of Slavery had challenged the profoundest respect and admiration of Governor Coles. He again earnestly appealed to the Legislature to put an end to the remnant of Slavery in the State and to "make the laws in relation to that unfortunate class of our fellow beings, the descendants of Africa, less repugnant to our political institutions and local situation." . . . . . "It is also requisite that provision should be made not only for loosening the fetters of servitude, but for the security and protection of free persons of color." . . . . . "To effect which, it is indispensable that the law should be altered, and so far from considering every colored person a Slave, unless he can procure written evidence of his freedom in Illinois, every man should be presumed free, until the contrary is made to appear."

The "Black Code" of Illinois, the repeal of which Governor Coles urged so strongly and so repeatedly was one of the most infamous and barbarous enactments that ever disgraced a civilized State. All his appeals were disregarded, and it can be scarcely credited at this day that these disgraceful laws were not completely repealed until after the political revolution in this country which followed the repeal of the Missouri Compromise in 1854. The truth of the matter is, that a pro-Slavery sentiment found a lodgment among a portion of the people of that day in this State, and that sentiment was vastly stronger from 1825 to 1854 than it was in 1824, when the people so emphatically voted down the atrocious proposition to call a convention to

make a constitution authorizing the introduction into the State of the hideous institution of human Slavery.

The administration of Governor Coles, so far as it is known by the record, and from other sources, was one of the ablest, the purest and most successful the State has ever had. He fully understood all the interests of the commonwealth, and administered its affairs carefully, intelligently and conscientiously. He gave his own personal attention to all the details of his office, and all his official correspondence is in his own handwriting. The copies of his letters were made by himself, and are as neatly and handsomely written as the originals themselves. The *fac-simile* of the letter to Gen. Lafayette is a copy of the original found among his papers, and it is a fair specimen of the copies of all his letters, both official and personal, which he retained. Nothing can better show how carefully he watched over the interests of the State, nor more fully illustrate his ideas of official duty, than an extract of a letter, a copy of which I have before me, to Col. William S. Hamilton, dated July 26, 1826.

In the summer of 1826 a matter came up in relation to an exchange of certain lands selected as Seminary lands. Some of these lands had been settled on before their selection, and valuable improvements made. The question was, whether the State could not select other lands of equal value and leave the settlers on the lands they had improved. Governor Coles appointed Colonel Hamilton to examine the lands settled upon and those proposed to be substituted. In this letter of instructions the Governor says:

"And now I must say to you, if you undertake this business

it will be expected of you that you will go in person and inspect the tracts which it is wished should be relinquished, as well as those to be substituted, and that you will take great pains to inform yourself of their relative value, and that you will not permit your sympathy for individuals to go too far, or to induce you to lose sight of, or be inattentive to the great interest the State has in having valuable selections made, to augment as far as possible the invaluable fund which is destined to contribute so much to the character of the State, and to the knowledge and character of its citizens."

In the winter and spring of 1831, Governor Coles was invited by a large number of his friends to become a candidate for Congress at the election to take place in the following August. In a short "Address to the People of Illinois," dated Edwardsville, May 12, 1831, he accepted the invitation. He did not offer himself as the candidate of any party, and said if elected he should be faithful to the trust reposed in him, and should vote and act on all questions agreeably to the known wishes of the people, and what he believed to be their true interests—that he would not be the creature of party, nor the humble follower of any man, but, guided by republican principles, he would endeavor to promote the interest of the country; in fine, that he would not be the follower of party or of man, but of principle. He stated what particular objects he would be in favor of, and one of which was "the subdivision and sale of lands in forty-acre tracts," a most admirable proposition, which was afterwards enacted into a law, which proved of immense benefit to the actual settler. He would also be in favor of a reduction of the price of the public lands, and of liberal grants and appropriations of them for the promotion of internal

improvements, education, and all such objects as would benefit the frontier settlers, increase the population and advance the prosperity of the State.

While the Governor announced himself as the candidate of no party, yet he was known to be an anti-Jackson man, and his candidacy drifted into an opposition to Joseph Duncan, the candidate of the Jackson party. The late Judge Breese also came out as a national republican candidate. Nothing, however, could withstand the prestige of the candidate who was running as a friend of the Jackson administration. Both Breese and Coles were overwhelmingly beaten by Duncan. The vote stood, thirteen thousand and thirty-two for Duncan, four thousand six hundred and fifty-nine for Breese, and three thousand three hundred and ninety-seven for Coles.

The number of persons now living in the State who were residents during the time that Governor Coles was a citizen, is very small. It is certain, however, that those who did know him personally, and those who knew most in regard to him, entertained the highest degree of respect for his character, and gratitude for his services. Among those still living who were acquainted with Governor Coles during his residence in Illinois, is Judge Gillespie, to whom I have had occasion to refer more than once in this Paper. In a letter addressed to me, dated Edwardsville, February 28th, 1881, the Judge says:

"I am pleased to find that you are employed in rescuing from oblivion the life and character of one so deserving of fame as our second Governor, Edward Coles. I knew the Governor well. He lived in this place while he was a citizen of Illinois. He was

a remarkable man, and devoted himself to the propagation of the sentiments of freedom. He was the most unrelenting foe to Slavery I ever knew. His time, money, everything belonging to him, was expended in the cause so dear to his heart. He brought his slaves here from Virginia, and liberated them, and gave to each head of a family, a tract of land within four miles of this place, where they settled and lived for many years. . . . . He was unmarried while he lived in Illinois, and when in Edwardsville, boarded in the family of James Mason. His character was without spot or blemish in all the walks of life."

The Hon. John Dean Caton, who was Judge of the Circuit and Supreme Courts of the State, and who by his long and honored service on the Bench has illustrated and adorned our judicial annals, did not come to the State until after Governor Coles had removed from it. In answer to a letter from me inquiring if he had any reminiscences in regard to the Governor, he writes under date of May 10, 1881:

"I was never personally acquainted with Governor Coles, but when I came to the State forty-eight years ago, his praises were sounded by all who had opposed, with him, the Constitutional Amendment to admit Slavery. He was recognized as the great leader in that fight, and for that I learned to revere his memory."

Judge Caton has recently made a very able argument before the United States District Court at Chicago. It was in a case brought against the city of his residence, Ottawa, on certain bonds issued by the city. An attempt having been made to repudiate the bonds, the city was sued, and Judge Caton appeared for the plaintiff to uphold the validity of the bonds and the honor of his city. The Judge dwelt largely on the disgrace and impolicy of repudiation, however specious

the guise might be, and referred particularly to the case of our State, which had upheld its faith under the most adverse circumstances, and paid every dollar of its indebtedness. I quote from his printed argument, in which he refers to the three great men of Illinois, one of whom was Governor Coles:

"In closing this reference to the past of our State, allow me to say that Illinois has produced three great men, whose conspicuous services will render their names immortal, and which should be commemorated by enduring monuments, and to whom we owe a debt of gratitude that can never be repaid. The first was Edward Coles, who was Governor of the State in 1824, and who saved the State from the black curse of African Slavery, then and forever. The second was Thomas Ford, who was Governor in 1842, and who saved the State from the scarcely less blighting curse of repudiation; and the third was Abraham Lincoln, who saved the Union from dismemberment, and the Nation from destruction. Not alone either of them, for all were assisted and supported by other great men whose names should be scarcely less honored, but they were the great leaders in these great labors, whose talents and whose integrity lead the people to these great accomplishments. In all time to come posterity should bow its head in gratitude whenever either of these names should be spoken."

After the expiration of Governor Coles' term of service, he continued to have his residence in Edwardsville and attending to the cultivation of his farm in the neighborhood. He was very fond of agriculture, and was the founder of the first agricultural society in the State. Without a family, having no business to tie him down, and suffering from ill-health, he spent much time at his old home in Virginia, and in Washington, Philadelphia, New York and Saratoga. At what par- - time he finally removed from the State I am not

aware, but probably in the fall of 1832. I have in my hands a letter addressed to him at Edwardsville, written by General Scott, from "Fort Armstrong, Rock Island," and dated August 11th, 1832. The General had just successfully closed his campaign against Black Hawk, and had arrived at Rock Island from Prairie du Chien. As he expected to remain at Fort Armstrong for some fifteen days, and as at the expiration of that time he might have to move west against some hostile Indians, who were not captured with the other Indians of Black Hawk, he invited the Governor to make him a visit, and to bring with him a pair of blankets, saddle and bridle, and saddle-bags.

It is no part of my purpose to continue my sketch of Governor Coles subsequent to his leaving the State. After quitting Illinois he took up his residence in Philadelphia, where he had made "troops of friends," among the most distinguished and cultivated people. On the 28th of November, 1833, he was married by Bishop De Lancey to Miss Sally Logan Roberts, a daughter of Hugh Roberts, a descendant of Hugh Roberts of Peullyn, Wales, who came to this country with William Penn, in 1682. Possessed of an ample fortune, his private life seems to have brought to him every charm, and surrounded him with every happiness. Of a very happy, bright and cheerful disposition, he entered sympathetically into the pleasures of all, and promoted in every possible way the happiness of all. He was an affectionate husband, a devoted father and a kind friend. Governor Coles was a very little less than six feet in height; of a slender build, and strongly-marked features. His eyes were brilliant, and his counte-

nance—particularly when lighted up by a smile—was one of rare beauty. The splendid steel engraving, by Sartain, which will illustrate this Paper, when printed, cannot but be admired.

He always took much interest in public affairs, and was in correspondence with many of the most distinguished men of the time. His "History of the Ordinance of 1787," which was read as a Paper before the Historical Society of Pennsylvania, June 9, 1856, is one of the most elaborate reviews of that celebrated legislation which has ever appeared. As Illinois was within the Territory covered by that ordinance, the Governor very naturally alluded to the attempt to make it a Slave State at the time he occupied the gubernatorial chair. He said:

> "I think that I shall meet with indulgence from the zeal I have always felt in the cause, for adding that it has ever since afforded me the most delightful and consoling reflections that the abuse I endured, the labor I performed, the anxiety I felt, were not without their reward; and to have it conceded by opponents as well as supporters, that I was chiefly instrumental in preventing a call of a Convention, and in making Illinois a Slave-holding State."

In view of the services of Governor Coles, it was fitting and proper that Illinois should honor his name by giving it to a large and important county—COLES COUNTY—organized Dec. 25, 1830, out of Clark and Edgar counties.

Governor Coles died at his residence in Philadelphia, July 7th, 1868, at the ripe old age of eighty-two, and after many years of much suffering, debility and general feebleness. His widow, his oldest son, Edward Coles,

and a daughter, survive him. His youngest son died in February, 1862.

Governor Coles is buried at "Woodland," near Philadelphia. Though his ashes do not lie mingled with the soil of the State he served so faithfully, and to which he rendered such an inestimable service in saving it to freedom, yet his name and his memory shall live in Illinois so long as the State shall have a place in history.



APPENDIX

APPENDIX

Summons of Edward Coles to Circuit Court of Madison County, January 7, 1824

[Records of Circuit Court of Madison County]

The People of the State of Illinois,
To the Sheriff of Madison county, Greeting:

You are hereby commanded to summon Edward Coles to be and appear before the Circuit Court for Madison county, at the next term to be holden at Edwardsville at the Court House thereof, on the 4th Monday in the month of March next, to answer the County Commissioners of the County of Madison in a plea of Debt Two thousand Dollars which to them he owes and from them he unjustly detains to their Damage Five Hundred Dollars. And have you then there this writ.

Witness, Joseph Conway, Clerk of the said Court, at Edwardsville, this 7th day of January in the year of our Lord one thousand eight hundred and twenty-four and of the Independence of the United States of America the forty 8th

Joseph Conway

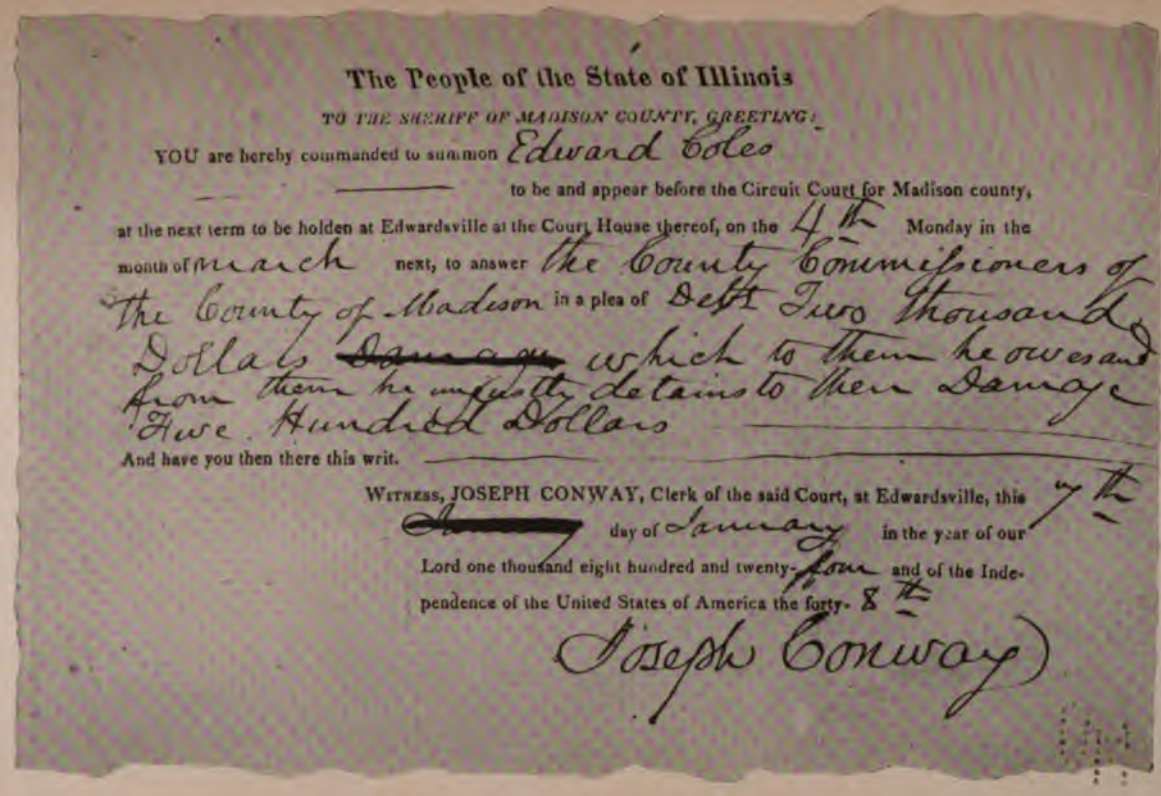
Charges of County Commissioners of Madison County Against Edward Coles, March, 1824

[Records of Circuit Court of Madison County]

State of Illinois
Madison County Circuit Court March Term 1824.

The county commissioners for the County of Madison who sued for the use of said county, complain of Edward Coles in custody of the sherriff in a plea of Debt: wherein they complain and say that whereas by the third section of an act made by the people of the State of Illinois represented in the General assembly entitled, An Act respecting free negroes mulattoes servants and

slaves approved March 30th 1819, it is enacted, that it shall not be lawful for any person or persons to bring into this state after the passage of this act any negro or mulatto who shall be a slave or held to service at the time for the purpose of emancipating or setting at liberty any such negro or mulatto, and any person or persons, who shall so bring in any such negro or mulatto for the purpose aforesaid, shall give a Bond to the county commissioner of the county when such slave or slaves are emancipated; in the penalty of one thousand dollars; conditioned that such person so emancipated by him; shall not become a charge on any county in this state, and every person neglecting or refusing to give such bond, shall forfeit and pay the sum of two hundred Dollars for each negro or mulatto so emancipated or set at liberty; to be recovered by action of Debt before any court competent to try the same, to be sued for in the name of the county commissioners of the county, when the same shall happen, to the use of the county. Yet the said Edward Coles (Defendant) notwithstanding the act aforesaid on the fourth day of July in the year of Christ one thousand Eight hundred and nineteen did bring into this state (state of Illinois) and in the county of Madison aforesaid for the purpose of emancipating the same the following named ten persons of colour slaves and held to service at the time to wit Robert Crawford and his sister Polly Crawford, the said Robert being a mulatto man about five feet seven Inches high about twenty five years of age and the said Polly being a mulatto woman about five feet one inch high about sixteen or seventeen years of age Ralph Crawford and his wife Kate Crawford and their children, Betsey, Thomas, Mary and William, the said Ralph being a mulatto man about five feet three inches high about forty six or seven years of age, and the said Kate being a mulatto woman about five feet two inches high about forty three or four years of age and the said Betsey being a young woman about sixteen or seventeen years of age about five feet high, and the said Thomas a boy of about thirteen or fourteen years of age and from his infancy has been weak and defective in his right arm and leg and the said Mary a girl from Eleven to twelve years of age and the said William a boy about nine years of age Thomas Cobb a Black man about five feet six inches high and from thirty Eight to forty



The People of the State of Illinois

TO THE SHERIFF OF MADISON COUNTY, GREETING:

YOU are hereby commanded to summon Edward Coles

to be and appear before the Circuit Court for Madison county, at the next term to be holden at Edwardsville at the Court House thereof, on the 4th Monday in the month of March next, to answer the County Commissioners of the County of Madison in a plea of Debt Two Thousand Dollars ~~Damages~~ which to them he owes and from them he unjustly detains to their Damage Five Hundred Dollars

And have you then there this writ.

WITNESS, JOSEPH CONWAY, Clerk of the said Court, at Edwardsville, this 7th day of January in the year of our Lord one thousand eight hundred and twenty-four and of the Independence of the United States of America the forty-8th

Joseph Conway

SUMMONS OF EDWARD COLES

[From Records of Circuit Court of Madison County]







years of age, Nancy Gaines a black woman about five feet high and about sixteen or seventeen years of age whereof the said Edward Coles (Defendant) was master, and the said Edward Coles Defendant in violation of the act aforesaid on the same day and year aforesaid did bring into the state of Illinois the aforesaid or above described ten persons of colour and slaves whereof the said Defendant was master for the purpose of emancipating and setting the same at liberty and the said Defendant did then and there in the County aforesaid on the day and year aforesaid emancipate and set at liberty the above described ten persons of Colour slaves as aforesaid, the said Defendant not having previously or since his setting at liberty or emancipating the same given his bond to the county commissioners for the county of Madison in the penalty of one thousand dollars in conformity with the provisions of the aforesaid recited act; and hath thereby forfeited the sum of two thousand dollars to the use of the county of Madison; yet the said Defendant though often requested refuses to pay the same.

JAMES TURNEY Atto. for
plffs.

PLEA OF EDWARD COLES AGAINST THE DECLARATION OF THE COUNTY COMMISSIONERS, September, 1824

[Records of Circuit Court of Madison County]

EDWARD COLES
ats.
COUNTY COMMISSIONERS
OF MADISON CO.

And the said Defendant by Starr & Lockwood his Attys comes & defends the wrong & injury when &c & says that he does not owe to the County Commissioners of the County of Madison the said sum of money above demanded or any part thereof, in manner & form as the said Plaintiffs have above thereof complained against him & of this he puts himself upon the County &c. Plea traversed Issue joined Turney for plff

And the said Defendant for a further plea in his behalf, according to the form of the Statute in said case made & provided says that the said plffs ought not to have or maintain their aforesaid

action thereof against him because he says that he was not guilty of the said supposed offences in the said declaration Mentioned or of any or either of them, at any time within one year next before the commencement of this suit, in manner & form as the said Plffs have above thereof complained against him, & this he is ready to verify wherefore he prays judgment if the said Plffs ought to have & maintain their aforesaid action thereof against him &c And the said Deft for a further plea in this behalf, according to the form of the Statute in such case made & provided, says that the Plffs ought not to have or maintain their aforesaid action thereof against him, because he says that he was not guilty of the said supposed offences in the said declaration mentioned, or of any or either of them at any time within three years next before the commencement of this suit, in manner & form as the said Plffs have above thereof complained agst him & this he is ready to verify wherefore he prays Judgment if the said Plffs ought to have & maintain their aforesaid action thereof against him &c—

And the said Deft for a further plea in this behalf according to the form of the Statute in said case made & provided, says that the Plffs ought not to have or maintain their afd action thereof against him because he says, that he was not guilty of the sd supposed offences in the said declaration maintained, or of any or either of them at any time within three years next before the commencement of this suit, in manner & form as the said Plffs have above thereof complained against him & this he is ready to verify wherefore he prays judgment if the said plffs ought to have & maintain their action therefore agst him &c—

STARR & LOCKWOOD Attys,
for Deft

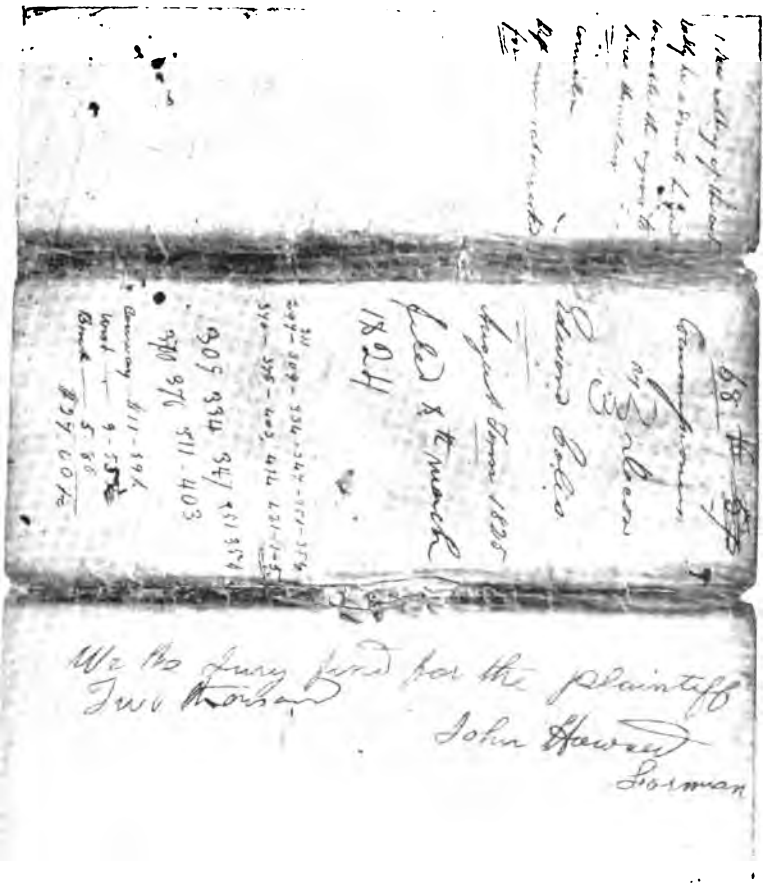
Demurrer to the foregoing three pleas
TURNEY for Plff—

We join in demurrer
STARR & LOCKWOOD

VERDICT AGAINST EDWARD COLES, September, 1824

[Records of Circuit Court of Madison County]

We the jury find for the plaintiff Two thousand
JOHN HOWARD, Foreman.



VERDICT AGAINST EDWARD COLES

[From Records of Circuit Court of Madison County]



REASONS FOR NEW TRIAL ADVANCED BY EDWARD COLES
September 22, 1824

[Records of Circuit Court of Madison County]

EDWARD COLES
ats
COUNTY COMMISSIONERS
OF MADISON COUNTY

Reasons for a New Trial—

1. Because the Court rejected the Testimony of Daniel P. Cook & Emanuel J. West—The object [of] which was to explain the reasons & motives of the Defendant in giving the Certificates which were used in Evidence by the Plff—

2. Because the Court refused to permit Joseph Conway to testify whether 3 of the Negroes mentioned in Plffs declaration had not died long before the Commencement of this suit.

3. Because John Howard one of the Plffs was sworn on the Jury & gave a verdict agst Deft—

4. Because the Jury have found the Deft guilty of a breach of a law, when the act complained of was done before the statute was published or generally known.

5. Because the Verdict was contrary to Law & evidence

STARR & LOCKWOOD Attys
for Deft.

REASONS FOR NEW TRIAL ADVANCED BY EDWARD COLES
September 24, 1824

[Records of Circuit Court of Madison County]

EDWARD COLES
ats
COUNTY COMMISSIONERS
OF MADISON CO.

Edward Coles, deft in this suit being sworn says, that John Howard Esq. one of the County Commissioners of the County of Madison was sworn as one of the Jurors in the above cause & gave a verdict therein—Deponent further says, that at the time the said Howard was sworn as a Juror as aforesaid Deponent did not

recollect that said Howard was one of the said Commissioners nor did it occur to him that such was the fact untill a part of the testimony in the cause had been given in & further saith not

EDWARD COLES

Sworn to before me this 21st day of Sept 1824

JOSEPH CONWAY clk

BOND OF EDWARD COLES TO COUNTY COMMISSIONERS OF MADISON COUNTY, January 31, 1825

[Records of Circuit Court of Madison County]

Know all men by these presents that I Edward Coles am holden and firmly bound unto the County Commissioners for the county of Madison and their successors in office in the penal sum of one thousand dollars, for the payment of which I bind myself, my heirs, executors, and administrators firmly by these presents sealed with my seal and dated this thirty first day of January one thousand eight hundred and twenty five. The condition of this obligation is such, that whereas the said Edward Coles brought into the county of Madison from the State of Virginia in the spring of the year 1819 certain negroes emancipated by him that is to say Robert Crawford, Polly Crawford, Thomas Cobb, Nancy Gaines, Ralph Crawford and his wife Kate and their four children, Betsey, Thomas, Mary & William, (of whom the said Ralph Crawford, Thomas Cobb and Nancy Gaines are dead,) Now, if the said negroes or any of them shall not become a charge on any county in this State, and the said Edward Coles shall secure and favor every county in the State of Illinois from their support and maintenance, and shall also further indemnify and save harmless the said county of Madison from any charge, or liability whatsoever heretofore incurred, or that may hereafter be incurred on account of the emancipation of said negroes, then this obligation to be void, otherwise to be in force—

Witness

JOSEPH CONWAY EDWARD COLES seal

CERTIFICATE OF JOSEPH CONWAY TO BOND OF EDWARD COLES, February 4, 1825

[Records of Circuit Court of Madison County]

STATE OF ILLINOIS
MADISON COUNTY

This day personally appeared before me Joseph Conway clerk of the Commissioners Court for the aforesaid County of Madison, Edward Coles and signed and acknowledged the written Bond to be his act and deed. Given under my hand at Edwardsville this 4th day of February 1825.

JOSEPH CONWAY

PLEA OF EDWARD COLES FOR DISCONTINUANCE OF ACTION OF COUNTY COMMISSIONERS, March, 1825

[Records of Circuit Court of Madison County]

EDWARD COLES
adversus
COUNTY COMMISSIONERS

And now at this term that is to say at the March term 1825 of the said Madison Circuit Court comes the said Coles and says that the said plaintiffs ought not further to have and maintain their action aforesaid against him because he says that since the last continuance of this court to wit on the 31st day of January last and within 60 days after the passage of the act of the General Assembly of the State of Illinois entitled an "An act to amend an act entitled an act respecting free negroes, mulattoes, servants, and slaves approved 30th March 1819, he the said Coles signed sealed, and delivered to the said county Commissioners his certain bond in the penal sum of $1,000 and which bond is agreeably to the provisions of the said act of the 30th of March 1819 and to which bond there is annexed a certain condition that if certain negroes therein named and which were the same negroes in the declaration of the plaintiffs mentioned, should not become a charge on any county in the State of Illinois, and the said Coles should secure and save every county in the said State from their support and maintainance, and should also indemnify and save harmless the said county of Madison from all charge and liability

whatsoever incurred before that time or which might thereafter be incurred on account of the emancipation of the negroes named in the declaration of the said plaintiffs, then said bond was to be void, which bond with the condition thereto annexed the said Edward Coles brings here into court. And the said Coles further says that since the 3d day of January last he has often offered to pay up all the costs of this suit, and more particularly that he did on the 24th day of this present month of March offer to pay and did tender to the said plaintiffs all the costs of this suit but they did refuse to accept or receive the sum, all which he is ready to verify—

H. Starr for plffs—

Plea of Edward Coles for Recording Bill of Exceptions, March, 1825

[Records of Circuit Court of Madison County]

Edward Coles
adversus
County Commissioners March term 1825

Be it remembered that on this day being the 12th day of the court the above named deft Edward Coles moved the court to set aside the verdict rendered in this cause at the last term and award him a new trial in order to enable him to plead the act passed at the last session of the legislature of the State of Illinois entitled "An act to amend an act respecting free Negroes, Mulattoes, servants and slaves, and offered in court the following plea to wit (here copy it) but the court overruled the motion, for a new trial & would not permit the plea to be filed to which opinion of the court in overrulling said motion the deft by his council excepts and prays this his bill of exception to be signed sealed and made part of the record

Saml McRoberts seal
Judge of the Circuit Court
of the 2nd judicial circuit

Bill of Exceptions Advanced by Edward Coles, March, 1825

[Records of Circuit Court of Madison County]

Edward Coles
adversus
County Commissioners

Be it remembered that on the trial of this cause the defendant offered to give in evidence and prove to the jury that three of the negroes mentioned in the declaration of the plaintiffs, had departed this life sometime before the commencement of this suit, but the testimony being objected to, the court sustained the objection, and would not permit the proof to be made.—Joseph Conway clerk of the county commissioners court was called and sworn as a witness, and was asked if the county commissioners had ever directed or requested him as their clerk to inform the defendant that no bond had ever been executed as required by the Statute, and to require him to give bond, which evidence the Court would not permit to be given.

Daniel P. Cook was called and sworn as a witness, who testified that he was an Attorney at Law he was then asked if any conversation took place between him & deft before the date of the certificates & whether he advised Deft to execute the certificates given in evidence by Plffs. in order to protect the negroes & enable them to hire themselves which evidence the Court overruled—and also to prove by said Cook all the circumstances & conversations between witness & Deft—which induced & led to the execution of said certificates which was also overruled—The record to state that the Plff gave in evidence the Certificates of which the following one is a true Copy (here Copy one of Certificates.)

John Reynolds seal

Opinion of Supreme Court of Illinois in Suit of Edward Coles versus County of Madison, June, 1826

[*Breeze*, 1: 154–161]

Edward Coles, Plaintiff in Error, *v.* The County of Madison, Defendant in Error.

Error to Madison.

The legislature have the power, by an act of their own, to release a penalty accruing to a county, after verdict but before judg-

ment. Such an act is not unconstitutional, it being neither an *ex post facto* law, or law impairing the obligation of contracts, and it can be pleaded, *puis darrien continuance*.

Counties are public corporations, and can be changed, modified, enlarged, restrained, or repealed, to suit the ever varying exigencies of the state—they are completely under legislative control.

Opinion of the Court by Chief Justice WILSON.*—This is an action of debt brought by the county commissioners of Madison county, for the use of the county, against Edward Coles, for $2,000, as a penalty for bringing into the county, and setting at liberty, ten negro slaves, without giving a bond, as required by an act of the legislature of 1819. To this action, Coles plead the statute of limitations, which plea was demurred to, and the demurrer sustained by the court, and the parties went to trial upon the issue of *nil debet*. A verdict was found against Coles, at the September term, 1824, of the Madison circuit court, but no judgment was rendered upon it, till September, 1825, the cause having been continued till that time, under advisement, upon a motion for a new trial. In January, 1825, the legislature passed an act releasing all penalties incurred under the act of 1819, (including those sued for,) upon which Coles was prosecuted.

This act Coles plead *puis darrien continuance*, and renewed the motion for a new trial, but the court overruled the motion, and rejected the plea, and rendered judgment for the plaintiffs.

There are several causes assigned for error, but the one principally relied upon is, that the court rejected the defendant's plea, (as a bar to the further prosecution of the suit,) alleging a compliance on his part with the act of January, 1825.

The only question for the decision of the court, from this statement of the case, is, was the legislature competent to release the plaintiff in error from the penalty imposed for a violation of the act of 1819, after suit brought, but before judgment rendered? or in other words, could they, by a repeal of the act imposing the penalty, bar a recovery of it? If the legislature can not pass an act of this description, it must be because it would be in violation of that provision of the constitution of the United States, (and

*Justice LOCKWOOD, having been counsel in this cause, gave no opinion.

which has in substance been adopted into ours,) which denies to the state legislatures the right to pass an *ex post facto* law, or law impairing the obligation of contracts. This is the only provision in that instrument, that has any bearing upon the present question.

Is the law of 1825, then, an *ex post facto* law, or does it impair the obligation of a contract? The term *ex post facto* is technical, and must be construed according to its legal import, as understood and used by the most approved writers upon law and government. Judge Blackstone says, "an *ex post facto* law is where, after an action (indifferent in itself) is committed, the legislature then, for the first time, declare it to have been a crime, and inflict a punishment upon the person who committed it." This definition is familiar to every lawyer, and I am not aware of any case in either the English or American courts, in which its correctness is denied.

It appears from the Federalist, a work which has been emphatically styled the text-book of the constitution, that the term was understood and used in this sense by the framers of that instrument. The authors of this work were among the ablest statesmen and civilians of the age,—two of them were members of the convention that framed the constitution, and would not have been mistaken in the meaning of the terms used in it. Judge Tucker, in his notes on the Commentaries of Blackstone, also adopts it as the true one, and it is evident from the tenor of his comments upon the principles contained in that work, that if there had been any doubt of the correctness of this one, that it would not have been passed in silence, much less would it have received his approbation.

But that the term *ex post facto* is applicable only to laws relating to crimes, pains and penalties, does not rest upon the bare acquiescence of the courts, or the authority of elementary writers. It has received a judicial exposition by the highest tribunal in the nation. The decision of the Supreme Court of the United States, in the case of *Calder and wife*, v. *Bull and wife*, 3 Dallas, 386, must be considered as having put this question to rest. The point decided in that case was, as to the validity of an act of the legislature of Connecticut, which had a retrospective operation, but which did not relate to crimes. All the state

courts, through which that case passed, decided in favor of the validity of the law. It was then taken up to the supreme court of the United States, where the judgment was affirmed. The court was clearly of opinion, that the prohibition in the United States constitution was confined to laws, relating to crimes, pains and penalties. Judge Chase, in delivering his opinion, says, "every *ex post facto* law must, necessarily, be retrospective, but every retrospective law is not an *ex post facto* law; the former only, are prohibited by the constitution." Patterson, Justice, said, "he had an ardent desire to have extended the provision in the constitution to retrospective laws in general," and concludes his remarks by saying, "but on full consideration, I am convinced that *ex post facto* laws must be limited in the manner already expressed." Sergeant's Constitutional Law, 347. No higher evidence, I believe, can be adduced, of the existence of any principle of law, than is afforded by these authorities, that the law under consideration is not an *ex post facto* one. It is considered that it is retrospective, and that as a general principle of legislation it is unwise to enact such laws; yet it is not the province of a court to declare them void. No prohibition to the exercise of such a power by the legislature is contained in the constitution of the United States or of this state, and it is an incontrovertible principle, that all powers which are not denied them by one or other of those instruments, are granted. The next inquiry is, does this law violate the obligation of a contract?

This question is easily answered. A contract is an agreement between two or more, to do, or not to do, a particular act—nothing like this appears in the present case. If a judgment has been obtained, the law might, by implication, raise a contract between the parties; but until judgment, the defendant is regarded as a *tort feasor;* he is prosecuted upon a penal statute for a *tort;* the action would die with him, which would not happen in the case of a contract. It is idle, therefore, to talk of a contract between the plaintiff and defendant, and it is only between the contracting parties that the legislature is prohibited from interfering. But in this case there is no contract between any parties, and all reasoning founded upon the idea of a contract, is nugatory. But its said, the legislature could not pass this law, because the plaintiffs

have acquired a vested interest in the penalty, by commencing suit, which can not be taken away.

The authorities relied upon to support this position, are not apposite. The decisions in those cases, turned on the construction of the laws, and not on the authority of the legislature to pass them. In the case of *Coleman* v. *Shower*, (2 Show.,) which was an action brought after the passage of the statute of frauds and perjuries, upon a marriage promise made by parol, the judges said, they believed the intention of the makers of that statute was only to provide for the future, and not to annul parol promises which were good and valid in law, at the time they were made. In the case of *Couch qui tam* v. *Jeffries*, (4 Burrow, 2460,) Lord Mansfield placed his opinion on the intention of the legislature, which, he believed, was not to do injustice to the plaintiff, by subjecting him to costs. So, too, in *Dash* v. *Van Kleeck*, 7 Johns., 577, the same ground was assumed. The court did not intend to decide that the legislature could not pass a retrospective law, but that the one under consideration was not necessarily retrospective, and therefore ought not to receive that construction. In this opinion, the court was divided three to two. But had the plaintiffs a vested interest in the penalty before judgment? a vested right is one perfect in itself, and which does not depend upon a contingency, or the commencement of suit. Suit is the means of enforcing, or acquiring possession of a previously vested interest, but the commencement of suit does not of itself, even in a *qui tam*, or popular action, vest a right in the penalty sued for. The only consequence that results from the commencement of a popular action is, that it prevents another person from suing, and the executive from releasing the penalty. Blackstone, (vol. 2, p. 442,) in speaking of the means of vesting a right in chattel interests, says, "and here we must be careful to distinguish between property, the right of which is before vested in the party, and of which only possession is recovered by suit or action, and property, to which a man before had no determinate title, or certain claim, but he gains as well the right, as the possession, by the process and judgment of the law. Of the former sort, are debts and choses in action." In these cases the right is vested in the creditor by virtue of the contract, and the law only gives him a remedy to enforce it. "But,"

continues he, "there is also a species of property to which a man has not any claim or title, whatsoever, till after suit commenced and judgment obtained in a court of law, where before judgment had, no one can say he has any absolute property, either in possession or in action; of this sort are, first, such penalties as are given by particular statutes, to be recovered in an action popular." Here is an authority directly in point. In the present case no judgment had been rendered previous to the passage of the law releasing the penalty, consequently, no right to the penalty had vested in the plaintiffs, which this law directs. The right which the plaintiffs had acquired by the commencement of the suit was, according to Blackstone, "an inchoate, imperfect degree of property," which required the judgment of the court to consummate, and render it a vested right. Before judgment in a popular action, the property in the penalty is imperfect and contingent, liable to be destroyed by a repeal of the statute upon which suit is brought. This principle is settled in a variety of cases; in that of *Seaton* v. *The United States*, 5 Cranch, p. 283, Judge Marshall, in delivering the opinion of the court says, "That it has been long settled upon general principles, that after the expiration or repeal of a law, no penalty can be imposed or punishment inflicted, for violations of the law committed while it was in force." The same point was decided in the case of the *Schooner Rachael* v. *The United States*, 6 Cranch, 329; and in the case of the *United States* v. *Ship Helen*, 6 Cranch, 203, the doctrine is fully settled that, even after judgment of condemnation *in rem* for a breach of the embargo laws, provided the party appeals, or obtains a writ of error, he may avail himself of a statute repealing the penalty enacted subsequent to such condemnation. In *The People* v. *Coleman*, the court unanimously awarded a new trial, in order that the defendant might avail himself of a defense given by a statute passed subsequent to the commission of the offense; and in the case of the *Commonwealth* v. *Duane*, 1 Binney, 601, the defendant had been indicted at common law for a libel: after a verdict, and before judgment, the legislature passed a law that, "after the passage of this act no person shall be prosecuted criminally for a libel." The supreme court refused to give judgment on the verdict. The terms of this act were not retrospective, yet the court considered it so, and must

necessarily have acknowledged the power of the legislature to pass such laws. (See also Sergeant's constitutional law, 348; 1 Cranch, 109, and 3 Dall., 279.) These cases require no comment. They are directly on the point under consideration, and have settled the doctrine, that a repeal of a law imposing a penalty, after verdict for the penalty, is a bar to a judgment on the verdict. The court has no longer any jurisdiction of the case. There is no law in force upon which they can pronounce judgment. If then, the legislature can, by a total repeal of the law of 1819, defeat a recovery for an infraction of it before judgment, can they not by the act of 1825, release all penalties incurred anterior to its passage? There is no rule of law which denies them the power of doing that indirectly, which they may do directly. In effect and in principle, there is no difference, and the power to do the greater act, includes the less.

It is said that the king can not remit an informer's interest in a popular action after suit brought; this is no doubt true, but it is equally true that the parliament can. It is not pretended that the executive could remit the penalty in this case, but that the legislature may. Neither the constitution of the United States, or of this state, contain any prohibition to the exercise of such a power by the legislature, and their powers have no limits beyond what are imposed by one or other of those instruments, nor is it necessary that they should. They form an ample barrier against tyranny and oppression in every department of the government, and secure to the citizens every right in as perfect a manner as is compatible with a state of government. If they should, by mistake, or from any other cause, attempt the exercise of a power incompatible with the constitution, the obligation of a court to resist it is imperative. But "it is not in doubtful cases, or upon slight implications, that the court should pronounce the legislature to have transcended their powers. In the present case, I am clearly of opinion, they have not done so. The law under consideration is not an *ex post facto* law, because the generally received and well settled import of the term is not applicable to a law of this character. It impairs the obligation of no contract, for the conclusive reason that no contract ever existed, and for the same reason it can not be said to destroy a vested right. 2 Dall., 304. 1 Cranch, 109.

The objection that this law works injustice to the county, is not well founded. All the rights of the county, contemplated to be secured by the law of 1819, are secured by this.

The object of the law of 1819 was to compel persons bringing slaves into this state for the purpose of emancipation, to give bond for their maintenance. This law requires the bond to be given, which has been done, and all costs of suit and damages incurred in any case to be paid, which the defendant has also offered to do in this case. The county, then, is secured, not only against prospective injury, but against all damages heretofore sustained. There is no ground of complaint, then, on the part of the county; they are secured in their rights, and lose nothing. In another point of view which this case is susceptible of, I am satisfied that the law under consideration is not unconstitutional. On an inquiry into the different kinds of corporations, their uses and objects, it will appear that a plain line of distinction exists between such as are of a private and such as are of a public nature, and form a part of the general police of the state. Those that are of a private nature, and not general to the whole community, the legislature can not interfere with. The grant of incorporation is a contract. But all public incorporations which are established as a part of the police of the state, are subject to legislative control, and may be changed, modified, enlarged, restrained, or repealed, to suit the ever varying exigencies of the state. Counties are corporation of this character, and are, consequently, subject to legislative control.

Were it otherwise, the object of their incorporation would be defeated. It can not be doubted that Madison county, as a county, might be stricken out of existence, and her interest in a popular action thereby defeated. Upon what principle, then, can it be contended, that the legislature can not remit a penalty in a popular action brought for her benefit? Every view I have been able to take of this interesting and important subject leads to the conclusion that the legislature have the constitutional power to pass the act of 1825, releasing Coles, upon the terms prescribed in that act.

The judgment of the court below must be reversed, and the

proceedings remanded, with directions to the circuit court to receive the defendant's plea upon his paying costs, &c. (*a*) (1)

Judgment reversed.

Starr, for defendant in error.

Turney and Reynolds, for defendant in error.

Notice of Sale of Public Lands, September 30, 1820

[*Edwardsville Spectator*, October 3, 1820. Photostats in Illinois Historical Survey, University of Illinois, from originals in Library of Congress]

To the Public.

On Tuesday last we, the Register and Receiver of the Land-Office at Edwardsville, made known that the public sale of lands, advertised by the President's proclamation of the 18th of April last, would commence at Edwardsville on Monday the 2d, and continue until Saturday the 21st of October. This was in pursuance of the proclamation, which states that "each sale shall continue *three weeks* and no longer." But it would seem, by a subsequent law, viz: "An act making further provision for the sale of public lands," approved April 24, 1820, "that the several public sales authorized by this act shall respectively be kept open for *two weeks* and no longer."

Now as it is thought that this is one of the public sales contemplated by this act, it is necessary to correct our former notice, by informing the public that the sale will, in pursuance of the 5th section of the said law, continue two weeks only; and that the lands will be offered for sale, as near as possible, in the manner and on the days following, viz:

On Monday, October 2, townships 11 and 12, north of range 1 west.

On Tuesday, October 3, townships 11 and 12, north of range 2 west.

On Wednesday, October 4, townships 11 and 12, north of range 3 west.

On Thursday, October 5, townships 11 and 12 north of ranges 4 and 5 west.

Friday, October 6, townships 11 and 12, north of range 6 west, and township 6, north of range 7 west.

On Saturday, October 7, townships 7, 8, and 9, north of range 7 west.

On Monday, October 9, townships 10, 11, and 12, north of range 7 west.

On Tuesday, October 10, townships 6, 7, 8, and 9, north of range 8 west.

On Wednesday, October 11, townships 10, 11, and 12, north of 8 west, and township 6, north of range 9 west.

On Thursday, October 12, townships 7, 8, 9, and 10, north of range 9 west.

On Friday, October 13, townships 11 and 12, north of range 9 west, and townships 6 and 7 north of range 10 west.

On Saturday, October 14, townships 8, 9, and 10, north of range 10 west.

The sale will commence every morning at 9'oclock.

EDWARD COLES,
BEN. STEPHENSON.

Edwardsville, Sept. 30, 1820.

COLES TO CRAWFORD, November 10, 1820

[*American State Papers, Public Lands*, 3: 476-485]

LAND OFFICE AT EDWARDSVILLE, November 10, 1820.

Sir:

In compliance with an act of Congress entitled "An act for the relief of the inhabitants of the village of Peoria, in the State of Illinois," I have the honor to transmit to you a report of seventy claims to lots in Peoria, and the substance of the evidence in support thereof, which have been received, and now remain on file in my office; to which I must add my regrets at the insurmountable difficulties I have met with in complying with a provision of this law which requires me to make out a list of such claims as, in my opinion, ought to be confirmed. The law not having defined the nature of the claims intended to be confirmed, nor prescribed any rule of adjudication, nor referred to any laws or usages by which I was to be governed in forming an opinion, I have been at a loss to determine upon what principles to decide, and have, therefore, been compelled to omit making out a list of

such claims as, in my opinion, ought to be confirmed. I have, however, added to the report a tabular statement showing at one view the character of all and each of the claims from which, after having decided what date or length of possession shall give a title to the occupant, it will be easy to select the particular claims which should be confirmed.

Believing that the chief object of Congress in passing the law was to obtain information as to the nature of the claims to lots in Peoria, I have endeavored to collect all the information which could be obtained, and to transcribe it in detail in the report of evidence herewith transmitted. And to guard as far as possible against inaccuracies or frauds, and to obtain as full and correct information as practicable, I desired that the testimony should be taken in my presence, except where advanced age or infirmity, or the remoteness of the witnesses, rendered their attendance at my office inconvenient. With a few exceptions, all the depositions have been thus taken, and the evidence, though sometimes contradictory, and no doubt often inaccurate as to dates, will, in general, be found as consistent as could reasonably have been expected, considering the length of time which has elapsed, and the illiterate character of most of the deponents.

The old village of Peoria was situated on the northwest shore of Lake Peoria, about one mile and a half above the lower extremity or outlet of the lake. This village had been inhabited by the French previous to the recollection of any of the present generation. About the year 1778 or 1779, the first house was built in what was then called La Ville de Maillet, afterwards the New village of Peoria, and of late the place has been known by the name of Fort Clark, situated about one mile and a half below the old village, immediately at the lower point or outlet of lake Peoria. The situation being preferred in consequence of the water being better, and its being thought more healthy, the inhabitants gradually deserted the old village, and, by the year 1796 or 1797, had entirely abandoned it, and removed to the new village.

The inhabitants of Peoria consisted generally of Indian traders, hunters, and voyagers, and had formed a link of connection between the French residing on the waters of the great lakes and the Mississippi river. From that happy facility of adapting them-

selves to their situation and associates, for which the French are so remarkable, the inhabitants of Peoria lived generally in harmony with their savage neighbors. It would seem, however, that, about the year 1781, they were induced to abandon the village from the apprehension of Indian hostility; but soon after the peace of 1783, they again returned, and continued to reside there until the autumn of the year 1812, when they were forcibly removed from it, and the place destroyed by a Captain Craig, of the Illinois militia, on the ground, as it was said, that he and his company of militia were fired on in the night while at anchor in the boats before the village, by Indians, with whom the inhabitants were suspected by Craig to be too intimate and friendly.

The inhabitants of Peoria, it would appear, from all I can learn, settled there without any grant or permission from the authority of any Government; that the only title they had to their land was derived from possession, and that the only value attached to it, grew out of the improvements placed upon it; that each person took to himself such portion of unoccupied land as he wished to occupy and cultivate, and made it his by incorporating his labor with it; but as soon as he abandoned it his title was understood to cease with his possessions and improvements, and it reverted to its natural state, and was liable again to be improved and possessed by any one who should think proper. This, together with the itinerant character of the inhabitants, will account for the number of persons who will frequently be found, from the testimony contained in the report, to have occupied the same lot, many of whom, it will be seen, present conflicting claims.

As is usual in French villages, the possessions in Peoria consisted generally of village lots, on which they erected their buildings and made their gardens, and of out-lots or fields in which they cultivated grain, &c. The village lots contained in general about one-half of an arpent of land; the out-lots or fields were of various sizes, depending upon the industry or means of the owner to cultivate more or less land. As neither the old nor new village of Peoria were ever formally laid out, nor had defined limits assigned them, it is impossible to have of them an accurate map. I have, however, sketched off one [see plate 2, fig. 3;][1] founded on

[1] This plate does not appear in *American State Papers, Public Lands*, v. 3

the testimony received in support of the claims, and from the information obtained from the most intelligent of the former inhabitants of the place; and though I am aware of its inaccuracy, yet I am induced to forward it along with the report, as it will tend to show the claims, and elucidate the testimony in support of them. I have not been able to ascertain with precision on what particular quarter sections of the military survey these claims are situated. It is believed, however, that the greater part of the land covered both by the old and new villages are in fractional quarter sections, and that the out-lots or fields are included in quarter sections which have been granted as bounty lands to the soldiers of the late war.

I am, very respectfully,

EDWARD COLES,

Register of the Land Office at Edwardsville.

To WILLIAM H. CRAWFORD,

Secretary of the Treasury of the U. S.

REPORT:

In obedience to an act of Congress, entitled "An act for the relief of the inhabitants of the village of Peoria, in the State of Illinois," approved May 15, 1820, the Register of the Land Office at Edwardsville has the honor of laying before the Secretary of the Treasury the following report of claims, and the substance of the evidence in support thereof, which have been received, and now remain on file in his office.

No. 1. Etienne Bernard claims a lot in the village of Peoria, containing about one arpent of land, situate about forty or fifty yards south of the lot of Joseph Graveline, and bounded eastwardly by a road or street, separating it from the lower part of lake Peoria; southwardly by a road separating it from a lot occupied by John Baptiste Maillet, and westwardly and northwardly by commons or prairie.

Proof. Tousant Soulard and Joseph Graveline testify, on oath, that Etienne Bernard improved and cultivated a lot of one or two arpents of land in Peoria, which they describe as above, about the year 1778, and continued to cultivate the same for about

ten years, when he was driven off the premises by the depredations of the Indians.

Remark. The evidence in this case was not taken in the presence of the Register; the deponents being (it was said) too old and infirm to attend at his office. Judging from its situation, the above lot must have been afterwards built upon and occupied by Francis Wilette, and now claimed by Louis Pilette. See claim No. 11.

No. 2. Augustine Roque claims a lot in Peoria, containing about one arpent of land, and bounded northwardly by a lot occupied by John Baptiste Maillet, eastwardly by a road separating it from the Illinois river, and southwardly and westwardly by the prairie.

Proof. Etienne Bernard testifies, on oath, that Augustine Roque, deceased, did, the year before the conquest of the country by Colonel Clark, build a house on and improve the above described lot in Peoria, which lot contained about one arpent of land; and that the said Roque continued to reside thereon for ten or twelve years, when he was driven from it by the depredations of the Indians. And the said Bernard further testifies that the above named Augustine Roque, who claims this lot, is the son of the late Augustine Roque of Peoria. And Tousant Soulard testifies, on oath, that one Augustine Roque did settle and cultivate (but at what time is not stated) a lot described as above in Peoria, and continued to reside on the same for at least ten years, when he was forced to remove by the depredations of the savages.

Remark. The above described lot must have been afterwards improved and cultivated; and it is probable it covered a part of the land embraced by the lots which are now claimed by Forsyth and Metté. See claims, No. 7, and No. 14.

No. 3.—Gabriel Latreille, as guardian of Charlotte Troge, who has lost her reason, and who was wife to Pierre Troge, deceased, and daughter of the late Antoine Saint Francis, claims a lot containing about two arpents of lands situated about two miles above Fort Clark, and near the old fort of Peoria, and bounded eastwardly by lake Peoria, northwardly by a lot of Francis Novelle, (or Lovel,) southwardly by Pascal Chevalier, and westwardly by prairie.

Proof. Baptiste Graza and Charlotte Lonigo testify, on oath, that Antoine St. Francis, deceased, did settle and cultivate a lot containing near two arpents of land, situated and bounded as above described, and, to the best of their recollection, resided on the same, above twelve years, when he was driven from the premises by the depredations of the Indians, which they state was, to the best of their recollection, about forty years since.

Remark. The evidence in this case was not taken in the presence of the Register, the deponents being very old and infirm. This lot, like the two preceding ones, must have been covered land, which has been since improved and occupied by others; but who now claims it, it is impossible to say with precision.

No. 4.—The heirs of Gabriel Cerré, by their agent Pascal L. Cerré, claim, under Louis Chatellerean, in the old village of Peoria, a double lot of one hundred and sixty feet in front, by three hundred feet in depth, (French measure,) bounded on the north by a street separating it from a lot occupied by Pierre La Vassieur, dit Chamberlain; on the east by a street separating it from a lot of John Baptiste Emelin; on the south by a street separating it from the lots of Parent and Sibinger; and west by the cultivated lands of the old village of Peoria.

Proof. Hyacinthe St. Cyr testifies, on oath, that Louis Chatellerean, in the year 1778, built a house on, and cultivated the above described lot in the old village of Peoria, and continued to occupy the same until the year 1781, when he, and all the inhabitants of Peoria, were induced to leave the place from fear of Indian hostility; but that he, Chatellerean, returned to Peoria soon after the peace of 1783, and continued to reside on the said lot until his death, (the year of his death he, St. Cyr, could not recollect,) after which, the said lot was occupied by one Chorette and his wife, Marie Josephe Tieriereau; and he, St. Cyr, well recollects that the said lot was afterwards sold at auction by Chatellerean's administrators, and bought by Gabriel Cerré, and that the said lot contained about one arpent of land. Marie Josephe Tieriereau testifies, on oath, that in the year 1795 she removed to Peoria, and settled on a lot, the property of Louis Chatellerean, in the upper town, which she described as above.

Remark. This lot is also claimed by Louis Chatellerean, as

the son of the late Louis Chatellerean of Peoria. See claim No. 6.

No. 5.—The heirs of Gabriel Cerré, by their agent Pascal L. Cerré, claim an out-lot or field situated immediately in the rear of, and adjoining to, the last described lot.

Proof. Hyacinthe St. Cyr testifies, on oath, that, previous to the military expedition commanded by Captain Montgomery, which Colonel Clark sent up to Peoria in the year 1780, he well recollects seeing Louis Chatellerean cultivate an out-lot or field in the rear of, and adjoining to, the lot on which he lived in Peoria, and to the best of his (St. Cyr's) recollection, the said lot or field contained between thirty and forty arpents of land, which the said Chatellerean continued to cultivate until his death, after which it was occupied for a time by one Chorette and his wife, Marie Josephe Tieriereau, and then sold by Chatellerean's administrators, and bought by Gabriel Cerré; he, St. Cyr, could not recollect at what time Chatellerean died, or how long Chorette and his wife lived on the said lot. Marie Josephe Tieriereau, testifies, on oath, that she well recollects that, about the year 1795, Louis Chatellerean had in his possession, and cultivated a certain lot or portion of land in a common field, which she describes as lying to the west, in the rear of his town lot; the size of the lot or portion of land is not stated by her.

Remark. The quantity of land contained in this out-lot or field is not stated by the claimants.

No. 6.—Louis Chatellerean claims a lot in the old village of Peoria, containing about two arpents of land, and bounded northwardly by a street, eastwardly by a street, southwardly by a lot of Willette, and westwardly by a field.

Proof. Pascal L. Cerré testifies, on oath, that he well knows that Louis Chatellerean resided on a lot in the old village of Peoria, from the year 1790 to the year 1795, when the said Chatellerean died on the said lot, which was bounded on the north by a street which separated it from the lot of Pierre Lavassieur, dit Chamberlain, on the east by a street, and on the west by a common field.

Remarks. This lot is also claimed by the heirs of Gabriel Cerré. See claim No. 4.

No. 7.—Thomas Forsyth claims a lot of three hundred feet

in front, by three hundred feet in depth, French measure, in the village of Peoria, and bounded eastwardly by a street, separating it from the Illinois river, northwardly by a cross street, westwardly by a back street, and southwardly by a lot claimed by Jacques Metté.

Proof. Hypolite Maillet testifies, on oath, that he is now about forty-two or forty-three years of age, and he always understood he had been born in a stockaded fort which stood on the above described lot, in the new village of Peoria, and that his father, John Baptiste Maillet, had lived on the said lot for a long time. And Pierre Lavassieur, dit Chamberlain, in like manner, testifies that, when he first went to live in Peoria, in the year 1790, he found John Baptiste Maillet occupying and cultivating the above described lot. And further, both Maillet and Chamberlain testify, that the said John Baptiste continued to live on, and cultivate the said lot until he was killed, in the year 1801; after which they understood the said lot was sold to one John M. Coursoll, by whom it was sold to the above named Thomas Forsyth, who continued to occupy and cultivate the said lot until the year 1812, when the inhabitants were expelled from Peoria by a Captain Craig of the Illinois militia.

Remark. A part of this lot must have been embraced by the lot claimed by Augustine Roque. See claim No. 2.

No. 8.—Thomas Forsyth claims a lot in Peoria of three hundred feet square, French measure, and bounded to the east by a street separating it from the last described lot; to the north by a cross street, to the west by unoccupied land, and to the south by a lot claimed by Jacques Metté.

Proof. Pierre Lavassieur, dit Chamberlain, testifies, on oath, that he went to live in Peoria in the year 1790, when he found John Baptiste Maillet cultivating the above described lot; and Hypolite Maillet testifies, on oath, that he is now about forty-two or forty-three years of age, and that he recollects that his father John Baptiste Maillet cultivated the above described lot for a long time; and both Chamberlain and Maillet testify, that the same John Baptiste Maillet continued to cultivate the said lot until he was killed, in the year 1801, after which they understood it was sold to one John M. Coursoll, who, they also understood,

sold it to Thomas Forsyth, who continued to cultivate the same as a garden until the inhabitants were expelled from Peoria by Captain Craig, in the year 1812.

No. 9.—Thomas Forsyth claims an out-lot or field, containing twenty arpents of land, situated about two miles southwardly from the village of Peoria, at the river Gatinan, now called Kickapoo creek.

Proof. Jacques Metté and Felix Fountain testify, on oath, that Thomas Forsyth, in the year 1806, made the above described lot or field, which, to the best of their recollection, contained about fifteen or sixteen arpents of land; and Metté well recollects that Forsyth cultivated the said field at least two years.

No. 10.—Thomas Forsyth claims an out-lot or field, containing about twenty arpents of land, situated in the Little prairie, about two miles from Peoria.

Proof. Jacques Metté and Felix Fountain testify, on oath, that Thomas Forsyth commenced the improvement of the above described lot or field in the year 1807 or 1808, and that he cultivated it for one year; and that the said lot or field contained, to the best of their belief, not more than about seven arpents of land.

No. 11.—Louis Pilette, in right of his wife, Angelica, the daughter of the late Francis Wilette, of the village of Peoria, claims a lot in Peoria, containing about one-half of an arpent of land, and bounded northwardly by a street, eastwardly by a lot of Antoine Deschamps, southwardly by a street separating it from the Illinois river, and westwardly by a street.

Proof. Drezy Blondeau testifies, on oath, that Francis Wilette built a house on, and improved the above described lot in Peoria, in the year 1788 or 1789, and lived thereon until his death, in the year 1806 or 1808. Simon Roi testifies, on oath, that he went to live in Peoria about the year 1793, at which time he found Francis Wilette living on the above described lot in Peoria, where he continued to reside until his death; and both Blondeau and Roi testify that the said lot contained about one-half of an arpent of land, and that Francis Wilette died, leaving but one child, who, to their certain knowledge, is now the wife of the above named Louis Pilette.

Remark. It is believed there is an unintentional mistake in the boundaries of the above described lot. For, to correspond with the descriptions given of the other lots in Peoria, it should have been northwardly by Antoine Deschamp's lot, eastwardly by a street separating it from the Illinois river, and to the south and west by streets.

This lot is also claimed by Felix Fountain, who contends that Francis Wilette sold it, as will be seen by reference to his claim No. 41.

No. 12.—Louis Pilette, in right of his wife Angelica, the daughter of the late Francis Wilette, claims a lot containing one-half of an arpent of land in the village of Peoria, immediately in the rear of the last described lot, and separated from it by a street, and adjoining to the east [north] a lot of Antoine Deschamps, and bounded on the south and west by streets.

Proof. Drezy Blondeau testifies, on oath, that Francis Wilette built stables and other out-houses on the above described lot in the year 1788 or 1789, and continued to use the same until his death, in the year 1806 or 1808. Simon Roi in like manner testifies, that, when he went to live in Peoria, about the year 1793, he found Francis Wilette in possession of the above described lot, which he continued to occupy till his death. And they both testify that it contined about one-half of an arpent of land, and that Francis Wilette and his wife, on their decease, left but one child, who is now the wife of the above-named Louis Pilette.

No. 13.—Louis Pilette, in right of his wife Angelica, the daughter of the late Francis Wilette, claims an out-lot or field, containing fifteen or twenty arpents of land, situated about three-fourths of a mile northeastwardly [northwestwardly] from the village of Peoria.

Proof. Drezy Blondeau testifies, on oath, that Francis Wilette commenced improving and cultivating an out-lot or field, of from fifteen to twenty arpents of land, situated as above described, about the year 1786, which he continued to cultivate until his death, in the year 1806 or 1808; and Simon Roi testifies, on oath, that, when he went to live in Peoria, in the year 1793, he found Francis Wilette in possession of, and cultivating, the above described out-lot or field, which he supposed to contain about

fifteen or twenty arpents; that he (Roi) had often assisted Wilette to harvest his grain, and that he well knows that Wilette continued to cultivate it until his death; and they both testify that the wife of the above named Louis Pilette was the only child left by the said Wilette and his wife at their death.

No. 14.—Jacques Metté claims a lot in Peoria, of eighty feet front, by three hundred feet in depth, (French measure,) and bounded on the east by a street separating it from the Illinois river, on the north by a lot claimed by Thomas Forsyth, on the west by a back street, and on the south by a lot of Francis Buché.

Proof. Hypolite Maillet testifies, on oath, that he is now about forty-two or forty-three years of age, and that, from his earliest recollection, the above described lot was possessed and cultivated by his father, John Baptiste Maillet, who continued to cultivate it until his death in the year 1800 or 1801: and Pierre Lavassieur, dit Chamberlain, also testifies, on oath, that, when he went to live in Peoria, in the year 1790, he found John Baptiste Maillet in possession of, and cultivating, the above described lot; and they both testify that they always understood that the above named Metté had purchased the said lot, (but when is not stated,) which they well recollect he continued to occupy until the spring of year 1812; and that the said lot was, they thought, about eighty feet in front, by about three hundred feet in depth.

Remark. The land embraced by this lot must, in part, have been covered by the lot of Augustine Roque. See claim No. 2.

No. 15.—Jacques Metté claims a lot in Peoria, of eighty feet in front, by three hundred in depth, (French measure,) situated immediately in the rear of the last described lot, and separated from it by a street, and bounded north by a lot of Thomas Forsyth, and to the west and south by unoccupied lands.

Proof. Hypolite Maillet testifies, on oath, that he is now forty-two or forty-three years of age, and that, from his earliest recollection, his father, John Baptiste Maillet, had cultivated the above described lot: and Pierre Lavassieur, dit Chamberlain, testifies, in like manner, that he went to live in Peoria in the year 1790, at which time he found John Baptiste Maillet in possession of, and cultivating, the above described lot; and both testify that the said Maillet continued to cultivate the said lot until his death,

in the year 1800 or 1801, and that they had always understood that the above named Metté purchased it, and they well recollect he cultivated it until the spring of the year 1812, and that it was about eighty feet in front, by about three hundred in depth.

No. 16.—Pierre Lavassieur, dit Chamberlain, claims a lot or square of about two arpents of land in the old village of Peoria, bounded northwardly by a hill, to the south and east by streets, and to the west by an out-lot, also claimed by him.

Proof. Joseph Lapattré and Hypolite Maillet testify, on oath, that Augustine Fiailteau, in the year 1789, "established himself on four lots, of eighty by three hundred feet each," which lots they describe as being bounded on the north by a hill, south by a cross street, east by a street, and west by an out-lot, then possessed by the said Fiailteau, and that the said Fiailteau sold the said lots to the above named Pierre Lavassieur, dit Chamberlain, in the year 1794.

Remark. The testimony, in this case, was not taken in the presence of the Register. This lot is also claimed by Augustine Fiailteau. See claim No. 21.

No. 17.—Pierre Lavassieur, dit Chamberlain, claims an out-lot or field, containing about twelve arpents of land, near, if not adjoining to, the old village of Peoria, and adjoining, to the south and west, the field of Louis Chatellerean.

Proof. Joseph Lapattré and Hypolite Maillet testify, on oath, that Augustine Fiailteau "established" the above described lot or field, which contained about twelve arpents of land, in the year 1789, and that he sold it, in the year 1794, to the above named Pierre Lavassieur, dit Chamberlain.

Remark. The testimony, in this case, was not taken in the presence of the Register.

No. 18.—Pierre Lavassieur, dit Chamberlain, claims a lot in Peoria, bounded northwardly and westwardly by unoccupied lands, eastwardly by a street separating it from the lot of Louis Bisson, and southwardly by a cross street.

Proof. Hypolite Maillet and Michael La Claire testify, on oath, that Pierre Lavassieur, dit Chamberlain, fenced in, and built a house on, the above described lot, about the year 1798, but they do not know that he ever occupied the house or cultivated

the said lot. They describe the lot to have been about the usual size, that is, about one-half of an arpent of land.

No. 19.—Pierre Lavassieur, dit Chamberlain, claims a lot in Peoria, of eighty feet in front, by three hundred feet in depth, (French measure,) and bounded northwardly by a lot of Michael La Croix, eastwardly by a street separating it from the Illinois river, southwardly by a lot of Augustine La Roche, and westwardly by a street.

Proof. Hypolite Maillet and Michael La Claire testify, on oath, that Francis Jourdan made an improvement on the above described lot, in Peoria, about the year 1800 or 1801, where he resided about one year, when he (Jourdan) sold the said lot to Pierre Lavassieur, dit Chamberlain, who resided on it until he was forced from it by Captain Craig, who destroyed the village of Peoria in the fall of the year 1812; that the said lot was about eighty feet in front, by about three hundred in depth.

No. 20.—Pierre Lavassieur, dit Chamberlain, claims an outlot or field, containing about seven arpents of land, situated near half a mile to the southwest of Peoria, and adjoining, on the north, the field of Antoine Lapancé.

Proof. Hypolite Maillet and Antoine Lapancé testify, on oath, that Pierre Lavassieur, dit Chamberlain, did, in the year 1810, enclose and cultivate the above described lot or field, and that he continued to cultivate it until he and all the inhabitants were forced to leave Peoria, by Captain Craig, in the year 1812.

No. 21.—Gabriel Lattraille, as administrator of Augustine Fiailteau, claims a lot in the old village of Peoria, containing about one-half of an arpent of land, and bounded eastwardly by a lot of one Lapierre, southwardly by a street separating it from a lot claimed by Louis Chatellerean, and to the north and west by unoccupied land.

Proof. Etienne Bernard testifies, on oath, that he saw Augustine Fiailteau living on, and cultivating the above described lot in the old village of Peoria, about the year 1791, on which he, Fiailteau, had a blacksmith's shop, and that he continued to reside on the said lot for about five or six years, when he abandoned it; and that the said lot contained about one-half of an arpent of land. Tousant Souliere testifies, on oath, that Augustine Fiail-

teau, deceased, lived on, and cultivated the above described lot, (but when it is not stated,) and that he continued to reside on it for at least ten years, when he was driven off by savage depredations.

Remark. The testimony of Tousant Souliere was not taken in the presence of the Register. This lot is also claimed by Pierre Lavassieur, dit Chamberlain, who contends that he purchased it, in the year 1794, of Fiailteau. See claim No. 16.

No. 22.—Thomas Lusby claims a lot in the old village of Peoria, containing about four hundred arpents of land, and bounded on the east by a street or road, at the distance of about one hundred and twenty yards from lake Peoria, on the south by a street separating it from the lot of Joseph Leframbroise, west by unoccupied lands, and, on the north, by the lot of one Parent.

Proof. Joseph Lapattré and Louis Coinoi testify, on oath, that Thomas Lusby purchased, about the year 1795, a lot, which they describe as containing four arpents of land, and situated in the upper town of Peoria, from one Saint John, who, they state, had resided on the said lot for near fifteen years. Simon Roi testifies, on oath, that, when he went to live in Peoria, in the year 1794, he found one Saint John living on a lot, which he describes as it is above described by Lusby, and that he had been informed that Saint John sold the said lot to Thomas Lusby. Michael La Croix testifies, in like manner, that, in the year 1797, Thomas Lusby purchased the said lot from one Saint John, who had previously lived thereon; and that the said Lusby lived on the said lot for one or two years, when he abandoned it; and both Roi and La Croix testify that the lot contained about four arpents of land.

No. 23.—Thomas Lusby claims a lot in the old village of Peoria, containing about one-half of an arpent of land, and bounded on the east by lake Peoria, south by a lot of one Bouché, west by a street separating it from the lot of Louis Chatellerean, and north by the lot of one Lapierre.

Proof. Joseph Lapattré and Louis Coinoi testify, on oath, that Thomas Lusby purchased of one Laroach a lot on which he, Laroach, resided seven years, and which they merely describe as being in the upper town of Peoria, and containing about one-half

of an arpent of land. They do not state when Lusby purchased, or how long he retained possession of the lot.

Remark. The above testimony was not taken in the presence of the Register.

No. 24.—Thomas Lusby claims a lot in the new village of Peoria, containing about one-half of an arpent of land, and bounded eastwardly by a street separating it from the Illinois river; southwardly by a lot once occupied by Chorette, afterwards by Louis Defond; westwardly, by a back street; and, northwardly, by a lot of one Champlaine.

Proof. Simon Roi testifies, on oath, that, when he went to live in Peoria, in the year 1794, he found one Urquette living on the above described lot; that he, Roi, does not know whether Urquette sold it or not, but that he well recollects seeing one Castion afterwards living on it, who sold it to Thomas Lusby about the year 1798 or 1799, and that when he, Roi, removed from Peoria, in the year 1802 or 1803, he left the said Lusby living on the said lot. Louis Coinoi and Jospeh Lapattré testify, on oath, that they knew of Thomas Lusby's purchasing a lot of about one-half of an arpent in the lower town, about the year 1794, from one Castion, and that the said Castion purchased the said lot the year before of one Urquette, who had lived on the said lot, they thought, for nearly twenty years.

Remark. This lot is also claimed by Antoine La Claire, who contends that Thomas Lusby sold it. See claim No. 25. Coinoi and Lapattré's testimony not taken in the presence of the Register.

No. 25.—Antoine La Claire claims a lot in Peoria of eighty feet in front, by three hundred feet in depth, (French measure,) and bounded eastwardly by a street separating it from the Illinois river, southwardly by a lot of John Baptiste Defond, westwardly by unoccupied lands, and northwardly by a lot which he, La Claire, purchased of J. B. Champlaine.

Proof. Francis Racine testifies, on oath, that one Lablond made an improvement on the above described lot in the year 1798 or 1799, and that the said lot was afterwards in possession of several persons, among whom he well recollects Joseph Castion and Thomas Lusby; that Lusby sold the said lot in the year 1805

to him, (Racine,) who sold it to Joseph Dejeney, who sold it to the above named Antoine La Claire in the year 1809, who occupied said lot till the year 1812, when Peoria was destroyed by Captain Craig. Jacques Metté testifies, on oath, that Thomas Lusby was in possession of the above described lot in the year 1801, when he, Metté, went to live in Peoria, and that Lusby continued to reside thereon for about two years, after which he, Metté, saw the said lot in possession of one Joseph Dejeney, who, he understood, sold it to the above named Antoine La Claire in the year 1809, who continued to occupy the same until the year 1812. Both Racine and Metté testify, that the lot was about eighty feet in front, by about three hundred feet in depth.

Remark. This lot is also claimed by the above named Thomas Lusby. See claim No. 24.

No. 26.—Antoine La Claire claims a lot in Peoria of eighty feet in front, by three hundred feet in depth, (French measure,) and bounded eastwardly by Main street, separating it from the Illinois river, northwardly by a lot of Francis Racine, westwardly by unoccupied land, and southwardly by a lot on which, he, La Claire, lived.

Proof. Francis Racine and Jacques Metté testify, on oath, that John Baptiste Champlaine made an improvement on the above described lot in the year 1801 or 1802, and that he, Champlaine, sold the said lot, in the year 1810, to the above named Antoine La Claire, who cultivated it as a garden until the year 1812. Both Racine and Metté testify that said lot was about eighty feet in front, by about three hundred feet in depth.

No. 27.—Michael La Croix claims a lot in Peoria of eighty feet in front, by three hundred feet in depth, (French measure,) and bounded eastwardly by a street separating it from the Illinois river, southwardly by a lot occupied by Pierre Lavassieur, dit Chamberlain, westwardly by a back street, and northwardly by a cross street.

Proof. Antoine Deschamps testifies, on oath, that Louis La Bossieur had the above described lot in possession, and was living on it in the year 1794, and that La Bossieur sold it to Michael Coursoll. And Jacques Metté testifies, in like manner, that, when he went to live in Peoria in the year 1801 or 1802, he found Michael

Coursoll living on the above described lot; that Michael Coursoll sold the said lot to John M. Coursoll, who he, Metté, understood sold it, about the year 1808 or 1809, to the above named Michael La Croix. Antoine Saint Dennis, as well as the above named Metté, testify, on oath, that Michael La Croix, very soon after he purchased the above described lot, built a large two story dwelling-house, and a large store-house, and other out-buildings, and cultivated a garden on the said lot, and continued to occupy the same until the year 1812, when the village of Peoria was destroyed by Captain Craig.

No. 28.—Simon Roi claims a lot in Peoria, containing about one-half of an arpent of land, and bounded on the east by a lot of John Coursoll, on the west by a lot of Louis Bisson, on the south and north by streets.

Proof. Drezy Blondeau and John Baptiste Blondeau testify, on oath, that Simon Roi went to Peoria some time during the year 1793; soon after which he made an improvement, and built a house on the above described lot, in which he lived near two years, when he abandoned it.

Remark. The above boundaries are presumed not correct. To correspond with the points of the compass, as stated in the other descriptions in Peoria, it should have been stated northwardly by the lot of John Coursoll, and southwardly by a lot of Louis Bisson.

No. 29.—Simon Roi, in right of his wife, who was the wife of Charles Le Doux, of Peoria, claims a lot in Peoria, containing about one-half of an arpent of land, and bounded on the south by a lot of Antoine Roi, on the north by the lot of Francis Dupré, and on the east and west by streets.

Proof. Drezy Blondeau and John Baptiste Blondeau testify, on oath, that Charles Le Doux made an improvement on the above described lot in the year 1793, and continued to reside on and cultivate the same until his death; that the above named Simon Roi married the widow of the said Charles Le Doux about the year 1799; and that they, the said Simon Roi and wife, continued to reside on and cultivate the said lot until about the year 1808 or 1809, when they removed from Peoria.

No. 30.—Simon Roi, in right of his wife, the late widow of

Charles Le Doux, deceased, claims a lot in Peoria, containing about one-half of an arpent of land, and situated immediately in the rear of the last described lot, and separated from it by a street.

Proof. Drezy Blondeau and John Baptiste Blondeau testify, on oath, that Charles Le Doux commenced an improvement on the above described lot during the year 1793, by building a stable and other out-houses on it, and that he continued to occupy the said lot until his death; that the above named Simon Roi married his widow about the year 1799; and that they, Roi and wife, continued to use the same until they left Peoria, which was about the year 1808 or 1809.

No. 31.—Simon Roi, in right of his wife, the late widow of Charles Le Doux, deceased, claims an out-lot immediately in the rear of, and adjoining to, the last described lot, containing about six arpents of land.

Proof. Drezy Blondeau and John Baptiste Blondeau testify, on oath, that Charles Le Doux made an improvement on the above described out-lot or field, in the year 1793, and that he continued to cultivate it until his death; that the widow of the said Charles Le Doux married the above named Simon Roi about the year 1799, and that they, Roi and wife, continued to cultivate the same until about the year 1808 or 1809, when they left Peoria.

No. 32.—Simon Roi claims one-third of an out-lot or field, containing about thirty arpents of land, improved and cultivated by himself, his brother, Antoine Roi, and Francis Racine, situated on the east bank of the river Gatinan, near one league southwestwardly from the village of Peoria.

Proof. Antoine Cicare and Antoine Roi testify, on oath, that, in the year 1802, Simon Roi, with his brother, Antoine Roi, and Francis Racine, improved and cultivated an out-lot or field, at the river Gatinan, containing about thirty arpents of land, which they continued to cultivate for many years.

No. 33.—Antoine Roi claims a lot in Peoria, containing about one-half of an arpent of land, and bounded northwardly by a lot of Charles Le Doux, eastwardly by a street separating it from the Illinois river, southwardly by unoccupied land, and westwardly by a street.

Proof. Michael Le Claire and Simon Roi testify, on oath,

that Antoine Roi, in the year 1793 or 1794, built a house on and cultivated as a garden, the above described lot, which contained about one-half of an arpent of land; and on which he continued to reside and cultivate for five or six years, when he abandoned it, and removed from Peoria.

No. 34.—Antoine Roi claims a lot in Peoria, containing about one-half of an arpent of land, and situated immediately in the rear of the last described lot, and from which it was separated by a street, and to the north it joined the lot of Charles Le Doux, and to the south and west it was bounded by commons or prairie.

Proof. Michael Le Claire and Simon Roi testify, on oath, that Antoine Roi, in the year 1793 or 1794, made an improvement by building stables and other out-houses on the above described lot, which lot and buildings he continued to use for five or six years, when he abandoned them, and removed from Peoria; that the said lot contained about one-half of an arpent of land.

No. 35.—Antoine Roi claims one-third of an out-lot or field, containing about thirty arpents of land, improved and cultivated by himself, his brother Simon Roi, and Francis Racine, situated on the east bank of the river Gatinan, near one league south-westwardly from the village of Peoria.

Proof. Antoine Cicare and Simon Roi testify, on oath, that, in the year 1802, Antoine Roi had in possession, and cultivated an out-lot or field at the river Gatinan, in partnership with Simon Roi and Francis Racine, which field they cultivated many years; that the said field contained about thirty arpents of land.

No. 36.—Francis Racine, Sen., claims a lot in Peoria, containing about one-half of an arpent of land, bounded northwardly by a cross street, eastwardly by a street separating it from the Illinois river, southwardly by a lot occupied by one Champlaine, and westwardly by a back street.

Proof. Simon Roi testifies, on oath, that, when he went to live in Peoria in the year 1794, the above described lot constituted a part of a field then possessed and cultivated by John Baptiste Maillet; that he, Roi, understood Maillet afterwards gave it to Francis Racine, Sen., who, in the year 1796, built a house on it, and continued to reside on the said lot until the village was destroyed by Captain Craig, in the year 1812. Antoine Burbonné

testifies, on oath, that, when he went to live in Peoria in the year 1803, he found Francis Racine, Sen., living on the above described lot, where he continued to reside until the year 1812. Francis Racine, Jun., testifies, on oath, that he is now twenty-six years of age, and that, from his earliest recollection, his father, Francis Racine, Sen., lived upon the above described lot, and that he continued to live on it until the year 1812. All three of them state that the said lot contained about one-half of an arpent of land.

No. 37.—Francis Racine, Sen., claims an out-lot or field, containing about twenty arpents of land, situated nearly adjoining the village of Peoria, and between the fields of Simon Roi and Antoine Burbonné.

Proof. Antoine Burbonné and Francis Racine, Jun., testify that Francis Racine, Sen., improved the above described out-lot or field about the year 1807, and continued to cultivate it until the year 1812; and that it contained about twenty arpents.

No. 38.—Francis Racine, Sen., claims an out-lot or field, containing about eighteen arpents of land, and situated about **two** miles below the village of Peoria, and bounded to the north by the out-lot of Simon Roi, to the south and west by the river Gatinan, and to the east by the prairie.

Proof. Simon Roi testifies, on oath, that, in the year 1802 or 1803, he (Simon Roi) his brother, Antoine Roi, and Francis Racine, Sen., enclosed and cultivated a field on the bank of the Gatinan river, about two or three miles below the village of Peoria; that the said field contained about thirty arpents of land, and that it was divided equally between the above named three persons; that they continued to cultivate the said field, each one his own separate portion of about ten arpents, for two or three years, when he, Roi, removed from Peoria. Hypolite Maillet and Antoine Roi testify, on oath, that, about the year 1803, Francis Racine, Sen., made a field on the bank of the river Gatinan, about two miles from Fort Clark, (Peoria,) which, they think, contained about eighteen arpents.

Remark. The above testimony of Hypolite Maillet and Antoine Roi was not taken in the presence of the Register; and it is quite certain, from the evidence received in claims No. 32 and No. 35, that this claim does not exceed above ten arpents of land.

No. 39.—Francis Racine, Jun., in right of his wife, the late widow of John Baptiste Defond, deceased, claims a lot in Peoria, containing about one-half of an arpent of land, and bounded northwardly by a lot occupied formerly by Thomas Lusby, afterwards by Antoine La Claire, eastwardly by a street separating it from the Illinois river, and to the south and west by streets.

Proof. Antoine Burbonné and Francis Racine, Sen., testify, on oath, that, about the year 1800, one Chorette made an improvement on the above described lot, which contained about one-half of an arpent; and that, soon afterwards, he, Chorette, sold the said lot to John Baptiste Defond, who resided on it until the village was destroyed by Captain Craig in the year 1812; that, since then, the said Defond has died, and his widow has married the above named Francis Racine, Jun.

No. 40.—Francis Racine, Jun., in right of his wife, the late widow of John Baptiste Defond, deceased, claims a lot in Peoria, containing about three or four arpents of land, and bounded eastwardly by a street, separating it from the lot last described, southwardly by a cross street, and to the north and west by unoccupied lands.

Proof. Antoine Burbonné and Francis Racine, Sen., testify, on oath, that John Baptiste Defond made an improvement on the above described lot about the year 1805 or 1806, and continued to cultivate it as a garden and field till the year 1812; and that the said lot contained three or four arpents of land.

No. 41.—Felix Fontaine claims a lot in Peoria of eighty feet in front, by three hundred feet in depth, (French measure,) and bounded eastwardly by a street, separating it from lake Peoria, northwardly by a lot formerly occupied by Antoine Deschamps, but now claimed by him, Fontaine, and to the south and west by streets.

Proof. Antoine Deschamps testifies, on oath, that he saw the above described lot in possession of and cultivated by John Baptiste Maillet, in the year 1792; and that Maillet gave it to Francis Wilette, who remained in possession of it until his death, in the year 1804. Hypolite Maillet and Pierre Lavassieur, dit Chamberlain, testify, in like manner, that Francis Wilette made an improvement and built a house on the above described lot

about the year 1797 or 1798, where he continued to reside until his death, in the year 1804 or 1805; and all three of the deponents testify that his widow continued to occupy the said house and lot until her death, which happened about two years after the death of her husband. And the said Deschamps further testifies that, after the death of Wilette and his wife, he, Deschamps, purchased from Wilette's administrators the said lot, and occupied it until the year 1811, when he sold it to Felix Fontaine. And the said Maillet and Chamberlain further testify, that the said Fontaine continued to occupy the said lot until the village of Peoria was destroyed, and the inhabitants driven off by Captain Craig, in the year 1812; and that the lot was about eighty feet in front, by three hundred in depth.

Remark. This lot is also claimed by Louis Pilette, in right of his wife, who was the daughter of the above named Francis Wilette, as will be seen by reference to claim No. 11.

No. 42.—Felix Fontaine, in right of his wife, Josette Carsereau, dit Fontaine, claims a lot in Peoria of eighty feet in front, by three hundred feet in depth, (French measure,) bounded eastwardly by a street, separating it from lake Peoria, northwardly by a lot claimed by the heirs of La Bonshier, westwardly by a street, and southwardly by a lot on which he, Fontaine, lived.

Proof. Hypolite Maillet and Pierre Lavassieur, dit Chamberlain, testify, on oath, that Francis Wilette enclosed and cultivated the above described lot in Peoria about the year 1797 or 1798; and that the said lot was about eighty feet in front, by about three hundred feet in depth; that they had understood that the said Wilette, about two years after he had made the improvements, gave the said lot to one Josette Carsereau, who afterwards married the above named Felix Fontaine; and that, soon after the lot was given, it was built upon, and that they (Fontaine and his wife) continued either to live upon the said lot, or to cultivate it until they were driven from Peoria by Captain Craig, in the year 1812.

No. 43.—Felix Fontaine claims an out-lot or field, containing about nine arpents of land, situated about one-half of a mile to the southwest of the village of Peoria, and bounded on the south

by the out-lot of Antoine Lapancé, and to the north by the out-lot of Francis Racine.

Proof. Pierre Lavassieur, dit Chamberlain, and Hypolite Maillet testify, on oath, that Antoine Deschamps enclosed and cultivated the above described field in the year 1807; that he cultivated it for three years, when he sold it to the above named Felix Fontaine, who continued to cultivate it until the autumn of the year 1812; and that the said lot or field contained about nine arpents of land.

No. 44.—Felix Fontaine claims an out-lot containing about two and a half arpents of land situated about one-fourth of a mile to the west of the village of Peoria.

Proof. Jacques Metté and Antoine Le Claire testify, on oath, that Felix Fontaine made an improvement in the spring of the year 1810 on the above described out-lot, and continued to cultivate it until the village of Peoria was destroyed by Captain Craig, in the autumn of the year 1812.

No. 45.—Baptiste Raboin claims a lot in Peoria, containing about one-half of an arpent of land, and bounded eastwardly by a street separating it from the Illinois river, southwardly by a lot claimed by Antoine Lapancé, westwardly by a street, and northwardly by a cross street.

Proof. Simon Roi testifies, on oath, that, when he went to live in Peoria in the year 1794, he found the above described lot occupied by Louis Cicare, who sold it to one Jourdan, who sold it to Pierre Lavassieur, dit Chamberlain, who sold it to him, (Roi,) who sold it to Baptiste Raboin, who he (Roi) left in possession of it when he left Peoria, which was about the year 1803 or 1804. Jacques Metté testifies, on oath, that he saw Baptiste Raboin living on the above described lot in the year 1807 or 1808, and that he well recollects he continued to live on it until about the year 1809 or 1810, when he abandoned it, and that it remained unoccupied for about one year, when one Louis Binet went to live on it, which he continued to do until the village of Peoria was destroyed by Captain Craig, in the year 1812.

Remark. This lot is also claimed by Louis Pencenneau as assignee of the above named Louis Binet. See claim 69.

No. 46.—Joseph Condier, for himself and the other heirs of

the late Joseph Condier, claims a lot in Peoria of eighty feet in front, by three hundred feet in depth, and bounded northwardly by a lot claimed by Charles La Belle, eastwardly by a street separating it from a lot claimed by Pierre Lavassieur, dit Chamberlain, southwardly by a lot claimed by Hypolite Maillet, and westwardly by an out-lot claimed by Charles La Belle.

Proof. Simon Roi, Pierre Lavassieur, and Hypolite Maillet, testify, on oath, that Joseph Condier, deceased, improved and built a house on the above described lot in the year 1796, and that the said lot was about eighty feet in front by about three hundred feet in depth; and the said Roi further testifies that Joseph Condier resided on the said lot one or two years, when he abandoned it, and removed from Peoria.

No. 47.—Hypolite Maillet, in right of his wife Josette Demonchelle, the late widow of Louis Le Bonshier, deceased, claims a lot in Peoria, containing about one-half of an arpent of land, and bounded northwardly by a lot occupied by Louis Binet, eastwardly by a street separating it from the Illinois river, southwardly by a lot occupied by Francis Willete, and westwardly by a street.

Proof. Pierre Lavassieur, dit Chamberlain, and Michael Le Claire testify, on oath, that the late Louis Le Bonshier improved and built a house on the above described lot in Peoria, in the year 1796 or 1797, and that the said lot contained about one-half of an arpent of land, on which he (Le Bonshier) resided until his death, which happened in the year 1802 or 1803; after which his widow lived about one year on the said lot, when she abandoned it; and that the said widow of Louis Le Bonshier has since married, and is now the wife of the above named Hypolite Maillet.

No. 48.—Hypolite Maillet, in right of his wife Josette Demonchelle, the late widow of Louis Bonshier, deceased, claims an out-lot or field containing about four arpents of land, situated about one-half of a mile to the west of the village of Peoria.

Proof. Pierre Lavassieur, dit Chamberlain, and Michael Le Claire testify, on oath, that Louis Le Bonshier improved and cultivated, about the year 1796 or 1797, the above described lot as a garden, and which they think contained about four arpents of land; and that he continued to cultivate it until his death in the year 1802 or 1803, and that his widow cultivated it for one

year after the death of her husband, when she abandoned it; and that she has since married, and is now the wife of the above named Hypolite Maillet.

No. 49.—Hypolite Maillet claims a lot in Peoria, containing about one-half of an arpent of land, and bounded northwardly by a lot of Charles La Belle, eastwardly by a street, southwardly by a lot claimed by him, (Maillet,) and westwardly by an out-lot claimed also by him.

Proof. Jacques Metté and Antoine Lapancé testify, on oath, that Hypolite Maillet commenced an improvement on the above described lot in the year 1809, and that he continued to reside on the said lot until the year 1812, when the village was destroyed by Captain Craig, and that the lot contained about one-half of an arpent of land.

No. 50.—Hypolite Maillet claims a lot in Peoria, containing about one-half of an arpent of land, and bounded northwardly by the last described lot, eastwardly and southwardly by streets, and westwardly by an out-lot claimed by him (Maillet.)

Proof. Jacques Metté and Antoine Lapancé testify, on oath, that Hypolite Maillet commenced an improvement on the above described lot in the year 1809, and continued to occupy and cultivate the said lot, which contained about one-half of an arpent of land as a garden until the year 1812, when he was driven from Peoria by Captain Craig.

No. 51.—Hypolite Maillet claims an out-lot immediately in the rear of, and adjoining to the two last described lots in the village of Peoria, containing about six arpents of land, and bounded northwardly by an out-lot of Charles La Belle, and southwardly by an out-lot of John Baptiste Defond.

Proof. Jacques Metté and Antoine Lapancé testify, on oath, that Hypolite Maillet improved the above described lot, which contained about six arpents of land, in the year 1809, and continued to cultivate it as a field, until he was forced by Captain Craig to abandon it, and the village of Peoria, in the year 1812.

No. 52.—Hypolite Maillet claims an out-lot or field, containing about fifteen arpents of land, situated about one mile and a half to the north of the village of Peoria, and bounded on the

north by the out-lot of one Wilette, westwardly by the bluff, and to the south and east by the prairie.

Proof. Francis Racine, Sen., Francis Jourdan, and Antoine Burbonné, testify, on oath, that the above described field was "established" in the year 1797 by John Baptiste Maillet, the father of Hypolite Maillet, and that it contained, to the best of their recollection, about fifteen arpents of land.

Remark. The evidence in favor of this and the following claim was not taken in the presence of the Register.

No. 53.—Hypolite Maillet claims an out-lot or field containing about fifteen arpents of land, situated about two miles below the village of Peoria, on the eastern bank of the river Gatinan, and adjoining to the south the field of Francis Montplaiser.

Proof. Francis Racine, Sen., Francis Jourdan, and Antoine Burbonné, testify, on oath, that Hypolite Maillet had the above described out-lot or field in his possession in the year 1806, and that he continued to cultivate it until the year 1812, when he and all the inhabitants were forced by Captain Craig to leave Peoria, and that the said field or out-lot, to the best of their recollection, contained about fifteen arpents of land.

No. 54.—The heirs of the late Antoine Grand Bois, by their agent Antoine Lapancé, claim a lot in Peoria of eighty feet in front by three hundred in depth, (French measure,) and bounded northwardly by a lot of Raphael Belonge, eastwardly by a street separating it from lake Peoria, southwardly by a cross street, and westwardly by unoccupied land.

Proof. Pierre Lavassieur, dit Chamberlain, and Hypolite Maillet, testify, on oath, that the late Antoine Grand Bois improved the above described lot, and built a house on it, about the year 1801, and resided on it until his death in the year 1806 or 1807, after which his widow resided on the said lot for one or two years, when she abandoned it, after which she died, leaving several children; that the said lot was about eighty feet in front by about three hundred in depth.

No. 55.—Michael Le Claire claims a lot in Peoria, containing about one-half of an arpent of land, and bounded eastwardly by a back street, southwardly by the lot of one Gunoille, westwardly by unoccupied land, and northwardly by a cross street.

Proof. Pierre Lavassieur, dit Chamberlain, and Hypolite Maillet testify, on oath, that one Whitby built a house on the above described lot in the year 1801, that the lot contained about one-half of an arpent of land; that he (Whitby) sold the said lot to one Racine, who sold it to the above named Le Claire in spring of the year 1803; and that he, the said Le Claire, occupied the said lot until the year 1806, when he abandoned it, and left Peoria.

No. 56.—Francis Buché claims an out-lot or field containing about ten arpents of land, situated at the foot of the bluff, about half a mile west of village of Peoria.

Proof. Jacques Metté and Felix Fontaine testify, on oath, that Francis Buché made an improvement on the above described out-lot or field in the year 1809, and that he continued to cultivate it until the fall of the year 1812, when he and the other inhabitants were driven from Peoria by Captain Craig, of the Illinois militia, and that the said lot or field contained about ten arpents of land.

No. 57.—Josephte Boucher claims a lot in the old village of Peoria, containing about one-half of an arpent of land, and bounded northwardly by a lot of Francis Belhumer, eastwardly by lake Peoria, southwardly by a lot of Joseph Laframboise, and westwardly by a street.

Proof. Joseph Lapattré and Pierre Lavassieur testify, on oath, that Francis Boucher, deceased, had in his possession, in the year 1795, the above described lot, on which there was a house, which they afterwards well recollect seeing in a state of decay and ruin.

Remark. The evidence in this case was not taken in the presence of the Register.

No. 58.—Josephte Boucher claims an out-lot containing about six or seven arpents of land, situated near the old village of Peoria.

Proof. Joseph Lapattré and Pierre Lavassieur testify, on oath, that Francis Boucher, deceased, had in his possession, in the year 1795, an out-lot or field at the hill near the old village of Peoria, containing about six or seven arpents.

Remark. This testimony was not taken in the presence of the Register.

No. 59.—John Baptiste Blondeau claims a lot in Peoria

containing about one-half of an arpent of land, and bounded northwardly by a street, eastwardly by a lot of John Demonchelle, southwardly by a lot of Francis Dupré.

Proof. Drezy Blondeau and Simon Roi testify, on oath, that John Baptiste Blondeau made an improvement on the above described lot in the year 1799, and resided on the same for more than five years, and that the said lot contained about one-half of an arpent.

Remark. The boundaries of the above lot do not correspond with those generally given of the other lots in Peoria. It should have been, eastwardly by a street separating it from the Illinois river, northwardly by a lot of John Demonchelle, southwardly by a lot of Francis Dupré, and westwardly by a street.

No. 60.—The heirs of Charles La Belle, by their agent Antoine Le Claire, claim a lot in Peoria, containing about one-half of an arpent of land, and bounded northwardly by a cross street, separating it from a lot of Pierre Lavassieur, dit Chamberlain, eastwardly by a street, southwardly by a lot of Joseph Condier, and westwardly by an out-lot claimed by them.

Proof. Jacques Metté and Antoine Burbonné testify, on oath, that Charles La Belle, deceased, built a house on the above described lot in the year 1809 or 1810, and continued to reside on it until the village of Peoria was destroyed by Captain Craig in the year 1812, and that the said lot contained about one-half of an arpent.

No. 61.—The heirs of Charles La Belle, by their agent Antoine Le Claire, claim an out-lot or field, containing about ten arpents of land, situated immediately in the rear of, and adjoining to the last described lot, and adjoining on the south an out-lot of Hypolite Maillet.

Proof. Jacques Metté and Antoine Burbonné testify, on oath, that Charles La Belle, enclosed and cultivated the above described lot or field in the year 1809 or 1810, and that he continued to cultivate it until he was forced by Captain Craig to leave it in the fall of the year 1812, and that the said lot or field contained about ten arpents of land.

No. 62.—Simon Bertrand, in right of his wife Mary, the late widow of John Demonchelle, deceased, claims a lot in Peoria,

containing about one-half of an arpent of land, and bounded northwardly by a lot formerly occupied by Jourdan, afterwards by Raboin, eastwardly by a street separating it from the Illinois river, southwardly by a lot of John B. Blondeau, and westwardly by a street.

Proof. Simon Roi testifies, on oath, that, in the year 1799 or 1800, Francis Dupré built a house on the above described lot, and lived in the same for two or three years; that said Dupré sold the said lot to John Demonchelle, who also lived on it for two or three years, when he abandoned it, and left Peoria. Jacques Metté also testifies, that, in the year 1803 or 1804, he saw one John Demonchelle living on the above described lot, who continued to live on it for one or two years, when he abandoned it, and the house and improvements went to ruin; that the said lot was again improved and built upon in the year 1810 by Antoine Lapancé. Both Roi and Metté state that the lot contained about one-half of an arpent.

Remark. This lot is also claimed by the above named Antoine Lapancé. See claim No. 63.

No. 63.—Antoine Lapancé claims a lot in Peoria, of eighty feet in front, by about three hundred feet in depth, (French measure,) and bounded northwardly by a lot occupied by Louis Binet, eastwardly by a street separating it from the Illinois river, southwardly by unoccupied land, and westwardly by a street.

Proof. Pierre Lavassieur, dit Chamberlain, and Hypolite Maillet testify, on oath, that Antoine Lapancé built a house on, and cultivated as a garden, the above described lot, in the year 1810, and continued to reside on and cultivate the same until the fall of the year 1812, and that the said lot was about eighty feet in front, by about three hundred feet in depth.

Remark. This lot is also claimed by Simon Bertrand. See claim No. 62.

No. 64.—Antoine Lapancé claims an out-lot or field containing about nine arpents of land, situated about one-fourth of a mile from Peoria, and bounded on the north by an out-lot or field of Felix Fontaine, and on the south by the field of Pierre Lavassieur, dit Chamberlain.

Proof. Pierre Lavassieur, dit Chamberlain, and Hypolite

Maillet testify, on oath, that Antoine Lapancé enclosed and cultivated the above described lot or field in the spring of the year 1811, and cultivated it until the autumn of the year 1812, and that the said field contained about nine arpents.

No. 65.—Antoine Burbonné claims a lot in Peoria, bounded eastwardly by a street separating it from lake Peoria, southwardly by a lot of Louis Le Bonshier, westwardly by a street, and northwardly by a cross street.

Proof. Jacques Metté and Francis Racine, Sen. testify, on oath, that Louis Binet made an improvement on the above described lot in the year 1801 or 1802; that he (Binet) sold said lot to one Parquette, who sold it to the above named Antoine Burbonné, who lived on the said lot until he was driven therefrom, and the village of Peoria destroyed, by Captain Craig, in the year 1812, and that the said lot contained about one-half of an arpent of land.

Remark. This lot is also claimed by Louis Pencenneau, as assignee of the above named Louis Binet. See claim No. 68.

No. 66.—Antoine Burbonné claims a lot in Peoria, bounded northwardly by a street, southwardly by a lot occupied by Louis La Bonshier, eastwardly by a street separating it from the last described lot, and westwardly by astreet.

Proof. Antoine Le Claire and Jacques Metté testify, on oath, that they well recollect to have seen, in the year 1809 or 1810, Antoine Burbonné have in his possession, and occupy as an out-lot for stables, the above described lot, which contained about one-fourth of an arpent of land, and which lot he continued to occupy until the year 1812, when Captain Craig compelled him to leave Peoria.

No. 67.—Antoine Burbonné claims an out-lot or field containing four or five arpents of land, situated near Peoria, and adjoining on the north the field of Francis Racine.

Proof. Francis Racine, Sen., and Francis Racine, Jun., testify, on oath, that Antoine Burbonné enclosed and cultivated the above described out-lot or field one year prior to his being driven away from it, and the destruction of Peoria, by Captain Craig, of the Illinois militia, in the year 1812; and that the lot contained about four or five arpents of land.

No. 68.—Louis Pencenneau claims a lot in Peoria, containing about one-half of an arpent of land, and bounded eastwardly by a street separating it from lake Peoria, southwardly by a lot claimed by Louis La Bonddier, and northwardly and westwardly by streets.

Proof. Simon Roi testifies, on oath, that Louis Binet improved the above described lot, and built a house on it in the year 1794 or 1795, and that he continued to reside on the said lot when he (Roi) removed from Peoria in the year 1801 or 1803. Jacques Metté, in like manner, testifies that when he went to live in Peoria in the year 1801 or 1802, he found Louis Binet living on and cultivating the above described lot; and that he (Binet) continued to do so until about the year 1806 or 1807, when he (Metté) understood Binet sold the said lot to one Parquette, who afterwards sold it, as he (Metté) understood, to Antoine Burbonné, who resided on it until the year 1812. Both Roi and Metté state that the lot contained about one-half of an arpent.

Remark. This lot is also claimed by Antoine Burbonné. See claim No. 65.

No. 69.—Louis Pencenneau claims a lot in Peoria, containing about one-half of an arpent of land, and bounded northwardly by a cross street, separating it from a lot of Louis Defond, southwardly by a lot claimed by Antoine Lapancé, eastwardly by a street separating it from the Illinois river, and westwardly by a street.

Proof. Jacques Metté testifies, on oath, that, in the year 1801 or 1802, when he went to live in Peoria, he found one Jourdan living on the above described lot; that, afterwards, he (Metté) saw residing on the said lot one Raboin, who, to the best of his recollection, abandoned it about the year 1807 or 1808, after which, the house, being old and decayed, was pulled down, and all the improvements of the lot went to ruin; in which vacant or unoccupied state the lot remained until the autumn of the year 1810, when Antoine St. Dennis and Jacques Metté testify, that the said lot was again improved and built upon by Louis Binet, who continued to reside on the said lot until the autumn of the year 1812, when Captain Craig forced the inhabitants to leave

Peoria. Both Metté and St. Dennis describe the lot as containing about one-half of an arpent of land.

Remark. This lot is also claimed by the above named Raboin. See claim No. 45.

No. 70.—Louis Pencenneau claims a lot in Peoria, bounded northwardly by a lot of Pierre Lavassieur, dit Chamberlain, eastwardly by a street separating it from the Illinois river, southwardly by a cross street, and westwardly by a back street.

Proof. Jacques Metté testifies, on oath, that when he went to live in Peoria, in the year 1801 or 1802, he found Augustine Laroche residing on and cultivating the above described lot, where he continued to reside until some time in the year 1812. Antoine St. Dennis in like manner testifies, that, when he went to live in Peoria in the year 1810, he found Augustine Laroche living on the above described lot, where he continued to live until some time towards the close of the year 1811, and that the house was destroyed by Captain Craig in the year following. Louis Pencenneau, Jun., testifies that he had always understood that Augustine Laroche gave the above described lot to his father, the above named Louis Pencenneau. And Antoine St. Dennis and Louis Pencenneau, Jun., testify, that, soon after the peace in 1815, the above named Louis Pencenneau built a house on the above described lot, and that he continued to occupy the same until the autumn of the year 1817; and all three describe the lot as containing about one-half of an arpent of land.

All which is respectfully submitted.

EDWARD COLES,
Register of the Land office at Edwardsville.

To WILLIAM H. CRAWFORD,
Secretary of the Treasury of the United States.
November 10, 1820.

COLES TO COOK, November 15, 1820

[Chicago Historical Society, Autograph Letters, 49: 341-343]

EDWARDSVILLE Nov: 15 1820

DR. SIR

By the last mail I forwardly [*sic*] to the Secretary of the

Treasury my Report on claims to Lots in Peoria. You will recollect I mentioned to you the embarrassment I felt in deciding upon what claims should be confirmed: and consulted you as to what was the true intent and meaning of the Law for the relief of the inhabitants of Peoria. Being extremely anxious to comply, if possible, with every provision of the law, I consulted many persons to know how I could do so; and in accordance with the advice of most of them, and after much consideration, I have been confirmed in the opinion which I expressed to you, when we conversed on this subject, that I could not with propriety, under the law, decide as to what claims ought to be confirmed.

To enable you at one view to see the character of the claims, and to understand the particular merits of each, I have drawn off a tabular statement of them all, in which will be seen the size of the claims—the time when the improvements were made—the time when they were abandoned—and the particular claims which conflict with each other. Having once decided on the period before which it was necessary to have made the improvement—or in one word the particular description of claims which should be confirmed, this list will enable you at once to select the claims. The Laws heretofore passed for the relief of the inhabitants of Kaskaskia, and the other French Villages in the Illinois Country, confirmed to them only such Lands, as they had possessed and cultivated previous to the year 1791.

I will not apply to Congress for compensation but I will say *to you* that I ought in justice to be paid, and liberally paid too, *for* the trouble and labour I have been at in examining witnesses, taking their depositions, and transcribing *two copies* of the substance of the evidence. You who are acquainted with the illiterate [cha]racter of *French settlers* can form some idea of the time required, and the trouble attending the taking of depositions for *seventy claims*—many of which are supported by two, three & even four depositions. The Commissioners to settle claims at Kaskaskia neve[r] received less than 500$ each, and was often allowed in addition 500$ for an interpreter and clerk—and if I mistake not in one or two instances reported on fewer claims than I have done.

I am quite unwell, and write you in great haste, you will therefore excuse this hasty scrawl—and pardon me for only adding

that *your fair one* is very well and looks much better than when you parted with her.

I am with much respect and esteem yours

EDWARD COLES

D. P. COOK, Esq., M. C.

COLES TO DODGE, February 22, 1821

[*Edwardsville Spectator* in *Illinois Gazette*, May 5, 1821. Photostats in Illinois Historical Survey, University of Illinois, from originals in Library of Congress]

EDWARDSVILLE, Feb. 22d, 1821

DEAR SIR,

A great portion of our citizens having emigrated from newly settled states abounding in forests, in the midst of which they have been accustomed to make their farms, by felling and clearing off the timber, have, from long habit, become so familiar to this kind of labor, that, when they remove to this country, where the Creator, in the munificence if his bounty, has happily diversified wood with prairie, and prepared a full proportion of the land for the plough, and even for the scythe, they seem to be loath to avail themselves of the advantages of their situation. Still, from the force of habit, in many cases, preferring the laborious task of clearing lands, and cultivating crops in the midst of stumps and roots, to cultivating lands already cleared, in which there is nothing to obstruct or impede the plough. You have no doubt felt, as I have often done, mortification and chagrin at seeing the timber destroyed in parts of the country where, from the great size and fertility of the surrounding prairies, it was particularly wanted. I think it is to be deplored as an evil to the state, the predilection of many of our settlers for building and making their improvements in the forest. For, besides the destruction of timber, which from its scarcity in places will soon become peculiarly valuable, situations in it, bordering on large prairies, are generally much more unfavorable to health, than those in the prairies. In general, as you well know, the prairies occupy the most elevated grounds, the timber being confined to the vicinity of the creeks, or natural drains of the country. From these low, and often wet lands, the exhalation of the pestilential miasma, the noxious cause of our

autumnal fevers, is more abundant, and it being specifically much heavier than atmospheric air, it gravitates and collects in these low places. In passing them in the dusk of the evening, after a warm day in the summer and fall, you have no doubt often encountered the disagreeable smell of the miasma. In addition to there being less exhalation in the prairies, the air is there sweetened by a more free and uninterrupted circulation; and what adds much to the healthfulness of the situations in the prairie, is the superior purity and coolness of the water obtained from the wells sunk in elevated ground. It is not uncommon that the water of wells sunk at the edge of the timber, in low situations, especially in wet post oak lands, has a disagreeable bituminous or sulphurous taste. It is seldom, if ever, in this part of the country, that a large vein of water is found in sinking wells; in general they are supplied by small veins, and often by gentle oozings, which in low places frequently come from so near the surface of the earth that the water is not only warmed but tainted by the solar heat. This is particularly the case with the stagnant pools in the beds of creeks, which have ceased to run, and with which many of our new settlers content themselves with drinking, for a considerable time, in preference to bestowing two or three days labor in digging a well. Such water would produce disease in the midst of the Alleghany mountains. While on this subject I will add, that from observations made in this, as well as other countries, I am persuaded that much depends, not only upon the purity, but the temperature of the water; that warm or tepid water is unfavorable to health in bilious countries and that very cold water is antibilious in its tendency, and is alike beneficial in the preservation as in the restoration of health.

Besides the predilections for forest lands, arising from old and deep rooted habits, they are often selected by the poor man from a belief that, although they require more manual labor to bring them into cultivation, yet they require less capital to do so than the prairie lands. The idea is very prevalent that it requires at least four horses and a patented bar shear plough to break prairie. This is by no means correct.—The prairie lands require very little if any, more force of team to break them, than the sod lands which have been long set on old farms.—I know from experience

that a pair of horses, or a pair of oxen are perfectly competent to the task of ploughing and preparing prairie land for cultivation. As the experiment I made proved very satisfactory, both in the execution and in the result; and believing, if followed by those of limited means, it would be highly advantageous, I beg leave here to state the particulars of it.

In the months of May and June last, I broke prairie, on which there was a thick sod, by first ploughing it with a plain knife coulter, such as is generally used to break new rooty lands; I then immediately ploughed the land a second time, with a small bar shear, obliquely across the first ploughing, in order to reduce the size and diminish the number of the clods; this was followed by two harrowings with an iron tooth drag, which effectually broke the land, pulverized it, and put it in an excellent state of preparation for a crop of corn. Each of these operations was performed with ease by one pair of horses. The poor man of the frontier, who should find it expensive or difficult to procure iron, might substitute wood for the teeth of his drag. Although this mode of breaking prairie consumes nearly triple the time ordinarily taken, yet when it is recollected that it requires only one person, and but half of the usual team, it will not be considered tedious or laborious, especially by those who, possessed of limited means could not prepare for cultivation as much land in the same time, in any other way; and when it is also taken into consideration that the land is better broke, and will yield a much greater crop, than new prairie generally does, in the ordinary way of ploughing it. When the sod of the prairie is inverted by the plough in long flakes, in the spring of the year, it does not decay and become mellow until the ensuing autumn; the consequence is that the corn which is planted in it cannot be cultivated, and of course seldom brings more than about one third, and often not more than one fourth of a crop. By this mode of coultering, ploughing, and harrowing, the land is put into a state which enables the farmer to list, check, plant, and cultivate it, and the yield, judging from my crop, is but little short of what it would be in old land.

While on the subject of the cultivation of corn, permit me to recommend to our farmers the use of the one-horse harrow, consisting of either three or five teeth. The farmers in the corn

districts on the seaboard have found great advantage in the economy of labor, the preservation of soil and the increase of their corn crops, from substituting this kind of harrow in place of the plough; which in the advanced stages of the corn has an injurious effect in cutting its necessary roots, and exposing them and the soil too much to the drying effects of the sun and wind. If the land is thoroughly broke in the spring, it will be amply sufficient to give the corn, after it is up, one ploughing, followed at proper intervals, by two or three harrowings. The plan of cultivation most approved of, is after the corn has gotten up, and to that state when it requires the earth near it to be stirred, a furrow is run on both sides of it, leaving the middle of the row untouched. In this way the whole crop is ploughed over. When this is done, two other furrows are run in the middle of each row, which completes the ploughing of it; after which the harrows alone are used in the cultivation of the corn.

These harrows, or cultivators, are of a triangular shape, with teeth made either of square bars of iron from three fourths of one inch in diameter, which are flattened, curved, and sharpened at the lower end, to enable them the better to pierce and stir the earth; or they are made of flat bars of iron about two inches in width by one inch in thickness the upper ends of which are made square to fit into the beam, with a shoulder, and the blades of the teeth are curved, the sides are bevelled, and the ends sharpened—in one word, they are made very much in shape like a cow's tongue, from which circumstance they are called the beef's tongue harrow teeth. These are deemed the best kind. The harrows containing these teeth are made so narrow that it is necessary to run them twice in a corn row, and are calculated to cultivate stiff lands, or to be drawn by a weak horse: those that contain five teeth are so wide that they cultivate the whole row by once passing through it; of course one of this description of harrows will cultivate as much land as four ploughs, and do it too in a way more salutary to the corn. These harrows are also used to great advantage in seeding small grain. This saving of labor, particularly in a country like this, where it is so scarce and so expensive, cannot fail to recommend the cultivating harrow to the use of every judicious farmer.

I beg you to excuse me for troubling you with the perusal of so long a letter the contents of which, though more evinsive of my zeal than of my capacity, may yet tend to remind others, better qualified to be useful in this way than myself, that one of the chief objects of our society is, to embody and impart to all, the observations and experience of each.

I am with much respect and esteem, your friend,

EDWARD COLES.

HENRY S. DODGE, Esq.,
Secretary of the Agricultural Society
of the State of Illinois.

NOTICE TO DEBTORS FOR PUBLIC LANDS, September 17, 1821

[*Edwardsville Spectator*, September 18, 1821. Photostats in Illinois Historical Survey, University of Illinois, from originals in Library of Congress]

TO DEBTORS TO THE UNITED STATES FOR PUBLIC LANDS.

REGISTER'S OFFICE.
Edwardsville, Sept. 17, 1821.

HAVING received by the last mail, from the Commissioner of the General Land Office, instructions explaining, altering, and adding to those heretofore received and acted on, I hasten to make known, to those interested, the following provisions, which it is conceived are the only items contained in these additional instructions which are important, at this late period, to be made known, in this way, to the public, viz:

"In cases where two or more quarter sections have been purchased at the *same time*, and one or more of such quarter sections has been assigned, the assignee, in such cases, cannot be permitted to relinquish a less quantity of land than the original purchaser could have done under the last proviso of the first section of the act, which states, "that, where a purchaser has purchased two or more quarter sections at the same time, he cannot be permitted to relinquish less than a quarter section." The words "*at the same time*," are to be understood to mean either on the *same day* at private sale, or at the *same public* sale.

"After the party shall have filed a declaration or relinquishment for all the tracts he may hold at the time of the filing of such

instruments, lands *subsequently obtained* may be the subject of another declaration or relinquishment.

"Where fractional sections have been classed with entire sections or quarters, the purchase being equal to, or exceeding the quantity of three hundred and twenty acres, that is, two quarter sections, not less than the amount of one quarter section, that is, not less than one hundred and sixty acres, can in such case be relinquished, agreeable to the last proviso of the first section of the act. But where the quantity contained in the classed fractions is less than three hundred and twenty acres, a quantity not less than eighty acres may be relinquished, but a quantity that would leave to the part retained of the fraction a *less quantity than eighty acres* cannot be relinquished. See Circular of the 15th of June last. The part relinquished of a fractional section should, always, be such, as to admit of its being laid off on the sectional line, which has been actually surveyed.

"When the quantity of acres is equal to one half of the fraction, let the designation be, the north, south, east or west half of such fraction. You will be careful, in all cases, to secure to the part of a tract relinquished, natural advantages proportionally equal to those of the tract retained.

"One of two or more partners, holding a certificate, where the others are either deceased or out of the country, or a widowed mother as the natural guardian of her minor children, may declare for the *further credit*, without the delay attending legal formalities.

"The right of a discount of 37½ per cent. for *complete* payment for any tract of land, on or before the 30th day of September, 1822, is unconditional. It is, therefore, demandable on the whole sum payable, principal and interest.—Therefore, where an equal annual installment on land further credited, is chargeable with interest of six per cent. from 30th September, 1821, to 30th September, 1822, and complete payment is made on the day last mentioned, the discount is to be calculated on the interest chargeable, as well as the principal then due. Where the first of the equal annual instalments on land further credited, has been paid at the legal period, and complete payment is made of the remaining instalments on the 30th of September, 1822, the discount is to be calculated on such installment, as well as on the remainder.

"*After the 30th September, 1822*, when the right to a discount of 37½ per cent. will cease by law, instalments due on lands further credited will be subject to the old discount of eight per cent."

I avail myself of this occasion again to remind debtors to the United States for land, that unless they shall, ON OR BEFORE THE LAST DAY OF THIS MONTH, pay to the Receiver the whole balance due, or sign and file with the Register a declaration of acceptance or of relinquishment, that they will not be entitled to any of the benefits of the act of the 2nd of March, for the relief of the purchasers of public lands.

EDWARD COLES,
Register of the Land Office at Edwardsville.

COLES TO EDITOR OF *Illinois Intelligencer*, June 4, 1822

[*Edwardsville Spectator*, July 6, 1822. Photostats in Illinois Historical Survey, University of Illinois, from originals in Library of Congress]

June 4, 1822.

Sir: In answer to your enquiry, as to the truth of a statement, contained in an anonymous publication, which lately appeared in the Illinois Intelligencer, in which it was asserted that I had emancipated six or eight old and worthless negroes, and yet hold in bondage, in a neighboring state, many young and valuable ones, I will state the facts, and leave you to judge what foundation there is for the assertion, and how far my conduct deserves censure.

In accordance with my principles and feelings, which have, from an early period of my life, been very strongly opposed to slavery, I emancipated, as soon as I could dispose of the property left me by my father, all the slaves he bequeathed me, amounting to about twenty in number, except two old and superannuated women, one of whom has since died of old age, and the other still lives and is supported by me. But among the negroes thus left me, there was a woman who was the mother of five children, the oldest of whom was not large enough to nurse the youngest; and whose husband belonged to a man living in the neighborhood. Finding her in this helpless situation, and knowing that it would

be impossible for her to support herself when freed, with so large, helpless, and, at the same time, increasing family, I felt it my duty to assist her, as far as it was in my power; and I knew no more effectual way of doing so, than by purchasing her husband. He, however, was not a slave for life. He had formerly belonged to an old Quaker, who had left in his will that he should become free in August, 1825. I accordingly purchased the remainder of the time he was to serve; but told him as I was principled against holding slaves, I should liberate him as he had repaid me the money I had paid for him. After I brought him to this country, him and his family lived in St. Louis, where he rented a house, and worked when and for whom he thought proper, for near two years, during which time, owing to the sickness of himself and family, and to the hard times, &c. &c. he was barely able to support his family; and at the expiration of that time I was informed by him that Dr. Walker had an account of ninety-six dollars and fifty cents against me for medical attendance on him and his family. He then told me that he despaired of being able to repay the money I had paid for him, and proposed that I should let Dr. Walker have the remainder of the time he was bound to serve by the will of his old master, and added that he and his wife both liked the doctor and his family, and preferred living with them to any other persons. On this I agreed to let Dr. Walker have him and his family until August, 1825. I say him and his family, for knowing, as I said before, that the woman could not support herself and family without the assistance of her husband, I executed her free papers to take effect when her husband should become free; in the meantime the support of her and her family devolved upon me. So far, therefore, from freeing old and worthless negroes, I have taken upon myself the support of all those left me by my father, who were unable from age or other circumstances, of supporting themselves. And among those emancipated there were but three above the age of thirty, and to those three I gave a quarter section of land each as a remuneration for their past services. And so far from holding in bondage many young and valuable negroes, I own none, but have liberated all, in the manner above described; and have not even had any of their children bound to serve me during their minority, except the children of the woman whose husband

I purchased. In addition to this, I might add, that I not only emancipated my slaves, from a conviction of the impropriety of holding them, but, from a desire to serve and befriend them. I removed, at my own expense, all those who were willing to come to this free, new, and prosperous country.

You have now the whole, in minute detail, of my owning, buying, and selling negroes.—For I assure you I own none; nor never owned, nor bought, nor sold one, except as above stated. And if there be anything in my conduct, as above related, or indeed in relation to any of the unfortunate descendents of Africa, which is in violation of my religious or political creed, I am not aware of it.

The subject of this letter is one about which I have not been in the habit of speaking until of late, when I have been constrained to do so in answering the inquiries of my friends, and also from the obligation I felt myself under to correct the falsehoods and misrepresentations which some of my political opponents have circulated for the purpose of injuring my standing in the estimation of the public. I am, very respectfully,

EDWARD COLES.

COLES TO THOMAS SLOO JR., June 30, 1823

[Selections from the Torrence Papers, VII, *Quarterly Publication of the Historical and Philosophical Society of Ohio*, 6: No. 3, 58]

EDWARDSVILLE, June 30, 1823

D[EA]R SIR

In casting my eyes around to find a person well qualified for the situation, and at the same time who should be particularly pleasing to me personally, I have singled you out as the man I should prefer to appoint as an Aid-de-camp to the Commander-in-chief. I now offer you that appointment; and must request the favor of you to let me know, as soon [as] possible, whether it will be agreeable to you, or will suit your convenience, to accept it. It confers the rank, as you know, of Colonel, but at the same time imposes the expense, not only of an equipment, but that attendant upon accompanying the Commander-in-chief whenever he reviews the Militia, which by the way I shall do next October.

of President and Vice President of the United States" approved March 2, 1819, I, EDWARD COLES, Governor of the State of Illinois, do hereby divide the said State into three electoral districts, as follows, to wit:

The first district to consist of the Counties of Pike, Fulton, Sangamon, Morgan, Green, Madison, St. Clair, Bond, Montgomery and Fayette.

The second district to consist of the counties of Edgar, Clark, Crawford, Lawrence, Wayne, Edwards, White, Gallatin, Hamilton and Marion.

The third district to consist of the Counties of Monroe, Randolph, Jackson, Union, Alexander, Johnson, Pope, Franklin, Jefferson and Washington.

IN testimony whereof, I have hereunto subscribed my name, and caused the seal of the state to be affixed at Vandalia this the first Monday in
[SEAL] September (being the sixth day of the month) in the year of our Lord one thousand eight hundred and twenty four, and of the Independence of the United States the forty-ninth.

EDWARD COLES.

By the Governor,

DAVID BLACKWELL, *Secretary of State.*

PROCLAMATION BY EDWARD COLES CONVENING THE GENERAL ASSEMBLY IN SPECIAL SESSION, September 8, 1824

[*Illinois Gazette*, September 25, 1824. Photostats in Illinois Historical Survey University of Illinois, from originals in Library of Congress]

By the Governor of the State of Illinois.

A PROCLAMATION

WHEREAS, by the ninth section of the third article of the constitution of the state of Illinois, the Governor may, on extraordinary occasions, convene the General Assembly by proclamation: and whereas, by an act entitled "An act providing for the electors of President and Vice President of the United States," approved March 2, 1819, it is provided, that the returns of the election of said electors shall be investigated in the same manner

as the election returns of representatives to congress are required to be, by the act to regulate elections, which act requires the election returns of representatives to congress, to be canvassed by the General Assembly; and whereas, the electors of President and Vice President to be elected in said state in November next, are required by law to meet and give their votes, before the day fixed by law for the commencement of the next session of the General Assembly: Now, therefore, I, *Edward Coles*, Governor of the state of Illinois, do by these presents, appoint Monday the *fifteenth day of November next*, for the meeting of the fourth General Assembly of said state, in the town of Vandalia; hereby requiring the respective Senators and Representatives then and there to assemble, to act and advise upon the matter aforesaid, and upon such other subjects as shall be submitted to them, and to consult and determine upon such measures as in their wisdom shall be deemed best calculated to promote the welfare of the state.

In testimony whereof, I have hereunto subscribed my name, and caused the seal of state to be affixed, at Vandalia, this eighth day of September,
[L. S.] in the year of our Lord one thousand eight hundred and twenty-four, and of the Independence of the United States, the forty-ninth.

EDWARD COLES.

By the Governor,
DAVID BLACKWELL,
Secretary of State

GOVERNOR'S MESSAGE, November 16, 1824

[*Illinois Gazette*, November 27, 1824. Photostats in Illinois Historical Survey, University of Illinois, from originals in Library of Congress]

Fellow Citizens of the Senate,
and of the House of Representatives.

I have convened you at an earlier period than that fixed by law, to obviate a defect in the act entitled "An act providing for the election of electors of president and vice-president of the United States." By this act it is provided, that the returns of the election of electors of president and vice president shall be investi-

gated in the same manner as the returns of the election of a member of Congress are required to be by the act to regulate elections; which act provides that the returns of the election of a member of Congress shall be investigated by the general assembly: and as the general assembly this year would not have met until after the time fixed by law for the assembling of the electoral college, it therefore became necessary to convene the general assembly, in order to legalize and render effective the vote of Illinois in the election of a president and vice president of the United States.

It is expected that all the returns will be received at the office of the secretary of state on Friday next; as soon as they are, they shall be laid before you.

Whilst I regret the necessity of calling you to the discharge of your official duties rather sooner than the appointed time, I feel great satisfaction in the belief that whilst it will not subject the members to any personal inconvenience, it will promote the public interest, not only in giving to our state her proper voice and influence in the election of a chief magistrate for the nation, but will also be attended with this further advantage, of affording an earlier opportunity to the representatives of the people to elect a senator to the congress of the United States in the place of Ninian Edwards. Notice of the resignation of Mr. Edwards was received too late last spring, as I conceived, for me to make an appointment in time for the individual to have reached Washington before the probable adjournment. If a successor to our late senator be now promptly appointed, he will be able to reach Washington very soon after the meeting of congress.

It affords me peculiar gratification, on the convocation of the legislature, to congratulate the representatives of the people, on the increased and increasing devotion of our citizens to their rights, and attachment to their free institutions; on the continued peace and prosperity of our country; on the plentiful harvest with which the earth has rewarded the labourer; on the unusually good health enjoyed by our citizens for the last two years; and particularly on the truly propitious and happy decision, by a large majority, of the important question which has so greatly agitated the people of the state since the adjournment of the legislature. For these great and manifold blessings of a kind Providence, it

becomes us to be grateful; and to show that we duly appreciate and are worthy of them, let us in imitation of Him from whom they emanate, make duly allowance for the frailties of human nature; let us assuage all perturbed passions and prejudices; allay the asperities of party feeling and cordially unite to correct past errors, and provide for the future the best means of promoting individual happiness and general prosperity.

Among the past errors which operate most injuriously, and which are yet within legislative correction are the laws which have been passed for changing the long established mode of enforcing contracts, by substituting new legal provisions, not contemplated by the parties, by which their contracts have been materially changed, and even infringed. The constitution expressly prohibits the passage of any law impairing the validity of contracts. But if it were silent on this subject, a sense of justice would require an extraordinary and unlooked for, and even improbable state of things to justify an interference on the part of the legislature in contracts between individuals to the material injury of one party, and benefit of the other. Such interferences have a tendency to destroy punctuality, to impair confidence, and to injure the character of a community. It is not less the duty, than the true policy of a government strictly to comply with all its own engagements, and to enforce punctuality upon its citizens. It should ever be borne in mind, that character is capital, and that a people desirous of encreasing their resources and promoting their prosperity, should preserve their faith inviolate. Whatever may have been the causes which produced these measures, it is not believed that the present state of things requires their continuance. I therefore recommend to the consideration of the legislature the propriety of repealing, as soon as may be deemed most equitable to those concerned, all new legal provisions which have been made for delaying or changing the obligation of contracts, and re-enacting the former and long established mode of enforcing them.

The establishment of the state bank was another error committed from the same impatient desire to relieve the community from what was called the pressure of the times, but which was chiefly produced by excessive issues of paper currency. This, like most other expedients of the kind, has had the effect to encrease

the evil it was intended to relieve. The great depreciation of its paper has been attended with embarrassment to the community, affecting very injuriously individual transactions, and has driven from circulation what remained of the precious metals. The honour of the state, and the interest of the people, individually and collectively, imperiously require that the wisdom of the legislature should be exerted in an especial manner to devise means for restoring the credit of the paper of the bank.

Nothing short of a strict examination into the manner in which the bank has been conducted, and an exposition of its present situation, will be satisfactory to the people; and nothing short of legal provision for the extinction of the amounts paid in annual instalments, as well as by voluntary payments, and the prohibition of the re-issue of one dollar on any pretext whatever, unless it be for the necessary expenses of the situation, will sustain its credit and it is submitted to the wisdom of the legislature, whether those expenses could not be reduced, and the business better managed, by substituting for the bank a more simple agency for the superintendence and collection of the debts.

In the observations I had the honour to make to the last legislature, I recommended that provision should be made for the abolition of the remnant of African slavery which still existed in this state. The full discussion of the principle and policy of personal slavery, which has taken place since that period resulting in its rejection by the decided voice of the people, still more imperiously makes it my duty again to call your attention in an especial manner to this subject, and earnestly to entreat you to make just and equitable provision for as speedy an abolition of this remnant of slavery, as may be deemed consistent with the rights and claims of the parties concerned.

In close connection with this subject, is my former recommendation, to which I again solicit your attention, that the law, as it respects those held in service, should be rendered less severe, and more accordant with our political institutions and local situation; and that more severe penalties should be enacted against the unnatural crime of kidnapping, which then prevailed to a great extent, and has since considerably increased, in consequence of the defects of the present law. Regarding the former,

our laws in general are a mere transcript of those of the more southern states, where the great number of slaves makes it necessary for the safety of the whites, that the laws for their government, and concerning free blacks, should be very strict. But, there being no such motive here, the necessity of such laws ceases, and consequently their injustice and cruelty are the more apparent. The latter are found every day more and more defective and inefficient; and kidnapping has now become a regular trade, which is carried on to a vast extent to the country bordering on the lower Mississippi, up the Red River, and to the West Indies. To put an immediate and effectual stop to this nefarious traffic, is the imperious duty of the legislature. There can come before you no subject with a more direct appeal to the generous feelings of humanity, or with stronger claims on your sense of justice, than the exposed and defenseless condition of free persons of colour. And it is hoped that penalties more proportionate to the enormity of the crime, and provisions better adapted to counteract the facilities of committing it, arising from our particular local situation, will be enacted.

I also recommended to the last general assembly, the opening of navigable communications between the great lakes and the Wabash and Illinois rivers, and to effect these objects, that a portion of the revenue should be annually set apart to create and sustain a fund to be exclusively apportioned to internal improvements: and I suggested that humanity, no less than the interest of the state, called for the erection of a penitentiary. As further reflection has confirmed my sentiments regarding each of these measures, I beg leave now to renew my former recommendation.

The report which will be made to you by the commissioners appointed by the last legislature to have surveys and estimates made of the expenses of opening a navigable communication between Lake Michigan and the Illinois river, will doubtless enable you to understand the subject and judge when, and in what manner, you can best execute that great and desirable work. I still cherish the belief that, under a judicious system, this, as well as the other important measure of opening, to co-operation with Indiana, the navigation between Lake Erie and the Wabash, may be accomplished in a much less time than has been supposed.

lands, from the defect in the law in relation to trespass, to which I would invite your attention. If the trespasser should not possess more property than the law exempts from execution, he pays nothing, goes unpunished and can continue to trespass with impunity.

In the year 1822 the Treasurer received the sum of $5,955.82 from the Treasury of the United States; it being a portion of the three percent. fund, derived from the sale of lands, and appropriated by Congress for the encouragement of learning. No disposition was made of this fund by the last legislature; and when the Bank was robbed in March, 1823, $861.73 of it were taken and have not since been recovered. I would suggest whether it would not, for the present, be the best disposition of this fund to authorize its investment, with such additions as may from time to time be received, in some productive stocks yielding an interest, and at all times convertible into cash.

From circumstances of hardship, which have fallen under my observation, I feel it a duty to invite your attention to the subject of lands the property of non-residents, sold through default of the payment of taxes. It appears that many owners of these lands, from the remoteness of their residence, or their absence on distant voyages, have of necessity depended on agents for the payment of their taxes; that in many instances these agents have, through neglect, dishonesty, or other causes, proved unfaithful. The lands have been sold, and the year of redemption has elapsed, before the circumstance has come to the knowledge of the proprietors. I ask the attention of the Legislature to this subject, and would suggest the propriety of extending the term allowed for the redemption of the lands of non-residents, which may hereafter be sold for the payment of taxes.

There is no subject claiming the attention of the Legislature of more vital importance to the welfare of the state, and its future greatness and respectability, than the provisions which should be made for the education of the rising and succeeding generations. Intelligence and virtue are the main pillars in the temple of Liberty. A government founded on the sovereignity of the people, and resting on and controlled by them, cannot be respectable, or even long endure, unless they are enlightened. To preserve and hand

down to a continuous line of generations that liberty which was obtained by the valor and virtue of our forefathers, we must make provision for the moral and intellectual improvement of those who are to follow us, and who are to inherit and have the disposal of the inestimable boon of self-government. The United States has made a most liberal provision in lands for Township Schools, and a University. But, from the present superabundance of lands, these will not be productive of much revenue for many years to come; they should however be strictly husbanded as a rich source of supply from which to supply future generations with the means of education. In the meantime would it not be wise to make legal provision to assist in the support of local schools?

Considerable efforts have been made by the Executive to effect a compliance with the law which requires annual returns to be made to the Adjutant General of the number of the militia. I regret to be compelled to state that these efforts have failed, and that such are the defects of the law that it cannot be enforced. It is to be particularly regretted that this neglect of the officers to perform their duty, has occasioned considerable loss to the state, in the late apportionment of arms, received from the Federal Government. A portion of the arms received by my predecessor, was put in the hands of a company in Randolph county. The portion received last year remains in store at Shawneetown. It is respectfully submitted to the Legislature, in regard to these and any future arms which may be received from the United States, to direct whether they should be preserved in an arsenal, to be used when wanted in defence of the country, or be distributed to the militia; and if the latter, what securities should be required for their preservation.

In a free government where the law is supreme, controlling equally the governors and the governed, and where provision is made for the adjustment of the diversified relations between man and man, it is of the first importance that the laws should be attainable by all and so explicit as to be, as far as possible, within the comprehension of all. To effect this essential purpose, our sister states have been in the habit, from time to time, of revising their laws, and publishing them in a digested code. This code, when judiciously compiled, classes the subjects in so systematic

and simple a manner, that a plain hard working farmer may in a few minutes ascertain the law on any common question; and the volume is so reduced in size and price as to be within the means of every citizen to procure. This is of immense advantage to the great body of the people, and saves them much time and expense in seeking the opinion of lawyers on simple cases, where it is easy to render the law plain and explicit. Under these impressions, I respectfully suggest the propriety of appointing some one or more persons learned in the law to compile a digested code of our laws, incorporating into it as much of the common law as practicable, to be submitted to the consideration and approval of the next General Assembly.

As much inconvenience is often felt by every branch of the government, and particularly by the Judiciary, for the want of a library at the seat of government, I am induced to suggest to your consideration the propriety of making a small annual appropriation to this object.

We had the misfortune in December last to have the state house consumed by fire. With the circumstances which caused this disaster, I am not particularly acquainted. The citizens of Vandalia have since rebuilt it, and will doubtless not be disappointed in their just expectation of being reimbursed the expenses they have incurred in thus providing for the public accommodation.

On the first day of January, 1823, there remained in the Treasury the sum of $33,661.11; from that day until the first of November, 1824, the receipts amounted to $81,966.30; during the same period the disbursements amounted to $79,868.37; leaving a balance in the treasury of $35,756.04.

It was my intention to have visited the state Salines this autumn. But having been prevented by ill health, I must content myself with referring you for information on this interesting subject to the Report which will be laid before you by the saline agent.

By the Constitution it is made the duty of the General Assembly, at its present session, to organize the Courts and appoint the Judges thereof. It is left to the wisdom of the General Assembly to determine whether the Judges of the Supreme Court shall, in future, perform circuit duties, or whether inferior Judges shall be

appointed for this purpose. The chief objections to the appointment of Circuit Judges, at this time, are, that there is very little business in the Supreme Court, and that the Judges thereof could perform circuit duties with ease to themselves and advantage to the public; also that the appointment of Circuit Judges would greatly add to the expenses of the state; and it is feared, in the present early stage injuriously multiply officers, the selection of whom is rendered the more difficult and important from the circumstance of their holding their offices during good behavior. Whether the General Assembly shall, however, think proper to organize one or both of these Courts, I take leave to urge on the members the necessity of paying great attention to the selection of Judges. It is one of the most important and responsible duties that you will have to perform during the present session. When it is recollected that the Judges are now to be appointed during good behavior; that they will occupy the most important station in society; that our lives and fortunes may depend on their wisdom and virtue; it should awaken in the members the most serious reflection on the importance of their choice, and their obligation to lay aside personal prejudices and partialities, and assidiously endeavor to select the best men, those most distinguished for their capacity, their requirements, their principles, and their moral character.

EDWARD COLES.

November 16, 1824

GOVERNOR'S MESSAGE, December 5, 1826

[*Senate Journal*, 1826, pp. 18–28]

Fellow Citizens of the Senate
and of the House of Representatives.

On this the fiftieth year of our existence as an independent nation, it is a source of much felicitation to find our beloved country in the full enjoyment of its rights and liberties, and of every social blessing. But above all, to witness the wonderful success of our political institutions, in preserving the peace, and in promoting the prosperity, happiness, and glory of our country. On such an occasion, the functionaries of the government, repre-

senting a people who look upon their liberties as the gift of God, and as the greatest of all earthly blessings, cannot but derive infinite gratification, when convened for the sovereign duties of legislation, in mingling their congratulations and uniting in fervent gratitude to the Author of our beings, for the signal aid and providential care and protection extended to us, in acquiring our independence, in establishing our liberty, in guarding our rights, and in promoting our happiness. The bosom of every American swells with emotions of joy and gratitude, when he reflects on the rise and progress of his country, from its first settlement by the victims of religious and civil persecution, to its present proud eminence among the Nations of the world; when he reflects on its infant, but heroic struggle against the oppression of its powerful parent country, resulting in the establishment of civil and religious freedom, on the sacred principle of the equal rights of man, by a constitution of government, as unique as it is felicitous, and which is not less the just pride of our country, than the admiration of the world. It would seem to be almost supernatural, that a country settled about 200 years ago, and but half a century since it assumed its station among the nations of the earth, should already be one of the most powerful, and the model for the imitation of all. Whilst we should adhere to such a country, and cherish with a fervent and holy zeal its inestimable institutions, we cannot too much revere the memory of those who achieved so much for us and for mankind. Two of the most efficient in this great work, after having been permitted by a kind Providence to assist in administering the government, and witnessing its good effects for fifty years, were on the National Jubilee taken from the scene of their good works to that of their great rewards. On the 4th day of July last, Thomas Jefferson, the renowned Author of the Declaration of Independence, and John Adams, its ablest advocate, ceased to live! Thus sanctifying by their deaths a day rendered glorious by the most important event of their lives, and in the history of their country. That these two Fathers and Ex-Presidents of the Republic, one of whom draughted the Declaration of Independence the other seconded the motion which led to its adoption, both members of the select committee which reported it, and constituting at the time of their deaths two out of the only three surviving

signers of that memorable instrument, should have died on the same day, and that day the fiftieth anniversary since its adoption, is such an extraordinary coincidence, that it would seem as if Heaven were desirous of increasing our reverence for our liberty and independence, and for the memory of those who were so instrumental in achieving it. This melancholy bereavement has placed the nation in mourning; and it has been a subject of regret that the sparce population of Illinois has prevented its citizens from publicly manifesting their respect for the memories of these two great statesmen of our country and benefactors of mankind. The General Assembly, in gratifying their own feelings, will but truly represent those of the people, by giving a public manifestation of the highest estimation in which the character and services of Jefferson and Adams are held, of grief felt for their loss, and of gratitude to Providence for giving, and permitting them so long to remain, to labour for the benefit of our country and of the world.

There is one painful circumstance connected with this mournful event which makes a direct appeal to the best feelings of our nature. Thomas Jefferson, pre-eminent as a sage and a philanthropist, as a statesman and as a patriot; the author of the Declaration of Independence; the great political reformer, to whose strong, bold and original genius we are in a great degree indebted for our civil and religious freedom, and for our correct understanding of the rights of man and of nations; he who was first in the cabinet, as Washington was first in the field, in acquiring our liberty and independence; and, as the Chief Magistrate of the Republic, doubled its territory, extending it south to the Gulf of Mexico, and west to the Pacific Ocean, and that not by conquest but by a judicious and equitable purchase;—after having devoted sixty one years of his life to the service of his country, to the neglect of his pecuniary affairs, whilst his losses and expenditures were greatly augmented, by the fluctuation in the value of property, and a misplaced confidence, and particularly by the concourse of persons who were induced to visit him from the celebrity he had acquired for his wisdom, virtue and pre-eminent services in the cause of his country, and of human rights, found himself involved in debt to such an extent that nearly all his

property, even Monticello, his favorite residence, where are now deposited his remains, will have to be sold! It will ever be a mortifying reflection that this fact was known six months before his death, and yet no effectual relief was extended to this great Patriarch of the Republic, who has devoted his whole life, and sacrificed his patrimony in its service. The opportunity, however, is still afforded his countrymen to remove this reproach, and to indulge their affectionate and grateful feelings, by contributing to the payment of his debts, and thus enable his accomplished Daughter, and her numerous family, who he has left to his country, to retain possessions rendered the more valuable and precious to them from having been owned by their illustrious parent. In what manner Illinois should contribute her proportion of this just claim on the gratitude of the Republic, will be determined by her generous and magnanimous Representatives.

There is a great interest felt in the proceedings of the present General Assembly, from the circumstances of its having to pass upon the Digest of the Laws, which has been prepared by order of the Legislature. To correct the incongruities in our present code, and to make the Digest as perfect as the people have a right to expect, will require considerable labour, and the most assidious and watchful attention. The experience of our sister states, as well as that of our own, will, I trust, leave no room to doubt, that it is not less promotive of the true interest of the people, than of the prosperity and character of the State, to preserve the stability of the laws for the enforcement of contracts, and to be exceedingly cautious in changing them, and resorting to temporary expedients, calculated to produce momentary relief but ultimate distress. The people of Illinois having experienced great injury from this erroneous and short sighted system, it is to be hoped that every necessary measure will now be adopted to bring it to a close; and that it will not again be resorted to; but, in future, industry and economy will be encouraged as the best means, under the protection of good laws, for relieving the temporary embarrassments, and promoting the permanent prosperity of the people:— And I will suggest, as another means well calculated to promote this great object, that the system of Jurisprudence should be more simplified, and in its operation made more prompt, efficient, and

economical, for the protection and enforcement of the rights of the citizens.

The defects in our criminal code will also claim your attention, especially the disproportion of punishments to crimes, which too frequently call for the interposition of executive clemency. The want of a State Prison subjects the counties to a heavy expense, and often induces the citizens to petition for the pardon of a criminal merely to rid the country of the expense attendant on his imprisonment. To relieve this inconvenience, as well as to equalize and promote the great ends of punishment, the State should erect a Penitentiary. And believing as I do, that it has the means of erecting one sufficiently large for present use, and that it can be conveniently built in a form admitting of future enlargement, I should be wanting in my duty were I not again to recommend it to your favourable consideration; and the more so, as I consider it a most just, wise, and humane system, and one which should embrace the punishment of every crime, to the exclusion of that sanguinary and exterminating code, which gives to aggregated man a power which nature, it is acknowledged, has not given to individual man, of deliberately depriving of life, and sending from time to eternity a fellow-being, who, however wicked, is defenseless and can be rendered harmless, and made useful to himself and to others. I fondly indulge the hope, that the time is not distant when the just, liberal, and philanthropic principles of our government, will so far get the better of error and prejudice, and conform to the great fundamental laws of nature, and of nature's God, as no longer to sanction by law the taking of human life, either by communities or individuals, except in self defence.

In revising and publishing a digested code of the laws, I cannot but call your attention in an especial manner to the existing provisions in relation to that unfortunate class of our fellow-beings, the descendants of Africa, and earnestly recommend that they be amended, and made less repugnant to our political institutions and local situation. On two former occasions, under a strong sense of duty, I urged the gradual abolition of the remnant of slavery which still exists in violation of the fundamental laws of the State, and an amelioration of our code in relation to free Negroes. I now emphatically renew, and earnestly press this recommendation.

But if the Legislature shall still think proper to decline abolishing slavery, then I beseech the Representatives of a people who love liberty, and have resolved that their land shall be the land of the free, to adopt such measures as will ultimately put an end to slavery. Let us at least cut the entail, and not give what is wrong a legal descent, but fix the time when servitude in Illinois shall cease.—This is due to our principles and consistency, and may promote the interest of the claimant to property, by lulling the claimant to liberty, and prevent the question from being adjudicated, as it has been in a neighbouring State. It is also requisite that provision should be made, not only for loosening the fetters of those in servitude, but for the security and protection of free persons of colour. It is not deemed good policy to encourage their emigration; but it is due alike to their rights, as to the character of the State, and the feelings of its citizens, that those who are here, or who may be admitted, should be secured in the enjoyment of their personal rights. To effect which it is indispensable that the law should be altered, and so far from considering every coloured person a slave, unless he can produce the written evidence of his freedom, in Illinois, every man should be presumed free until the contrary is made to appear.

The State Bank, an unfortunate expedient, resorted to for relief from a temporary pressure, created by the excessive issue of a paper currency, having been productive of much derangement and loss to the State and County Treasuries, and embarrassment to individuals, and having operated very injuriously to the interest and character of the State, has, I am happy to say at length, so far recovered its credit, as to cease in a great degree the deleterious effects arising from the depreciation of its notes; which from having sunk to one fourth, have now risen to near three fourths of their nominal value. This appreciation of the value of the notes of the Bank, whilst it operates most beneficially to the interest of the Government and of the community, is prejudicial to the interest of the debtors of the Bank. But they have obtained loans from the Bank at a time when its notes were nearly equal to specie, and in most, if not all cases, paid with them specie debts; and the loss attendant on their depreciation having fallen, not on those who borrowed them, but on those to whom they were paid,

and on the community generally, it would be unreasonable in the Bank debtors to wish any course taken which would depreciate the value of the notes, to the great injury of the community, which has already sustained so great a loss by an institution established for their benefit, and who have, by its means, been enabled to pay off old debts, by obtaining loans to be repaid in ten equal annual instalments. And as its Charter prohibited any one (except Directors, who were privileged as such to receive $750) from receiving more than $100 on personal security, or $1,000 on a pledge of real estate, there cannot be any of that individual distress which would justify the resorting to measures which would have the injurious effect of depreciating the currency and credit of the State, or of increasing its liability for the debts of the Bank, by offering a great discount for prompt payment; or of extending the time, and of course the risk, of re-payment of the loans. The crisis in the affairs of the Bank has now passed, and if no measure should be adopted by the Legislature to injure its credit, we shall soon cease to feel its ill effects. From every view I can take of the subject, I am fully impressed with the belief that there is no need of Legislative interference with the Bank, except to reduce its expenditures, and render more efficient its administration, by substituting a more simple, economical, and efficient agency for the management and collection of its debts.

To enable me to impart to the Legislature full and correct information of the manner in which the institution has been conducted, I called on the cashiers for detailed reports of the proceedings and present situation of the Principal Bank and its branches. Having this subject much at heart, I have been greatly disappointed by the cashier of the principal bank not having furnished the information to the extent asked for; and in receiving no report from the branch at Shawneetown, in consequence of the recent death of its cashier, and the refusal of his administrator to surrender the bank to his successor. To the reports herewith transmitted, and to the general condition of the bank, I invite the particular attention and rigid scrutiny of the Legislature. From these reports it will be seen, that there have been loaned and reloaned at the principal bank, and at the Edwardsville, Palmyra, and Brownsville branches, $215,000, of

which $109,615, have been repaid, and $105,384 remain to be paid during the next five years; that their aggregate annual expense is $4,000, and the whole amount of expense incurred since their establishment is $43,820—exceeding the amount of the profits accruing on the loans by about $11,000; which, after deducting the value of the bank buildings, is the amount of loss up to the present time, exclusive of that arising from bad debts and insufficient security, at the principal bank, and three out of its four branches. And as the profits on discounts will in future be lessened, as well from the diminution of the amount loaned, as from the addition of interest accumulated on the notes; and as the probable loss from bad debts will be greater in the termination than in the early stages of the institution, the Legislature will see the necessity of retrenching the expenditures of the Bank, and of affording every facility of winding it up with as little ultimate loss as possible to the State.

There had been issued by the Auditor, and were outstanding against the Treasury, on the first day of January last, $45,763.58 of warrants; since then the demands on the Treasury have amounted to $47, 096.25, making the aggregate sum of $92,859.83. To meet which, there were in the Treasury, on the first of January, $5,502, and have since been received $51,620.12; and in the course of this month, there will be received from Sheriffs for the taxes of this year, about $7,500, and in the next month $26,658.71 from the sale of lands now advertised for taxes—making the aggregate sum of $91,280.83. From which it appears, that if the taxes should be realized from the sale of lands, there will be in January a balance against the Treasury, on account of warrants heretofore issued of $1,579.

The rate of taxation is nominally higher in Illinois than in the neighboring states, and is oppressive to its citizens, and if continued will operate injuriously to the prosperity of the State. The depreciation of our currency has had the effect of greatly reducing the taxes; and as the former rises in value, it is proper that the latter should be lowered. To show that the taxes can and ought to be reduced, I will state that the annual revenue derived from a tax on land, amounts to upwards of $45,000; whilst the average annual expenditure of the State, on the sup-

position that there will be no extra session of the Legislature, will not exceed $23,000 in specie; even should it be deemed expedient, which it is not presumed it will, to continue the present unnecessarily large & expensive judiciary. Without therefore taking into the estimate the revenue accruing from the Salines and Vandalia lots, if the currency were at par, there might be a reduction in the present nominal taxes of near fifty per cent. But considering its present depreciation, and on the presumption that nothing will be done to depress it, or increase the liability of the State for the debts of the Bank, and making due allowance for special appropriations, and contingent expenses, I recommend a reduction of twenty-five per cent. on the amount of the taxes; under the firm conviction that three-fourths of our present nominal revenue, will be amply sufficient to defray the ordinary expenses of the Government, and leave an excess which will be annually increasing as well from the additional quantity of land subject to taxation, as the appreciation of the currency to be applied to the great and vital objects of education and internal improvements. And under a strong sense of its propriety and importance to the well being of the Treasury, I renew the recommendation I made on a former occasion, that the Auditor should not be required to issue his warrants for the state paper, but specie value of the demands on the Treasury; and also, that the collectors of the revenue should be required to account for and pay over the particular kind of money which they may receive. As the orders or warrants of many of the counties are at a much greater discount than state paper, this provision is more needed, and, if adopted, would prove more beneficial in the collection of county than of state revenue.

The present mode of selling lands annually for the default in the payment of taxes, and the forfeiture of them if not redeemed in two years claims the serious consideration of the Legislature, both as it respects the propriety and policy of the proceeding. Under the impression that the penalty is disproportionate to the offence, and that it does not become a just and paternal government to deprive its citizens of their lands for so trifling an omission of duty, nor a wise and provident one to jeopardize or disturb the title to a large portion of the said estate of the community and to make so vast a hotbed of litigation; and believing, as I do, that

the collection of the revenue can be enforced by penalties less ruinous, to the defaulters and less pernicious in their consequences to the community, I conceive it my duty to invite the attention of the Legislature to this interesting subject, and to suggest for its consideration, either that a much longer period be allowed for the redemption of land sold for taxes, during which time the owners should be required to pay a high annual interest; or that lands should not be annually sold for the taxes, but that a penalty of a given percent should be incurred for want of punctuality in the payment of them, and an high annual interest charged on the amount due, which should act as a lien on the land for a specified number of years, when it should be sold or forfeited to the State; and all the interest which should thus accrue above some ten or fifteen per cent per annum, should be applied to the promotion of education.

I lay before the Legislature a Report of the Superintendent of the Gallatin County Saline, made in pursuance of an act of the last session of the General Assembly; and renew the recommendation, made to that session, that the mode of leasing the Saline be changed from a stipulated rent for a term of years, to a specific duty on each bushel of Salt manufactured. This change recommends itself from its being less hazardous to the manufacturer, and more safe and productive to the State. When the lots of the Saline are leased for a term of years at a fixed rent, however valuable they may prove, the state receives but the stipulated sum, when, on the other hand, the leases prove bad bargains, or the lessees bad managers, the rent is not paid, and the parties petition, and generally with success, to be released from the payment of the rent, although the lots under good management, might have yielded annually a considerable quantity of salt. Our statutes show, that in the last four years, the State has released and actually lost about $5,000: and in the accompanying report is seen that of the rent accrued for the last three years, $10,920 have been released on the condition of the Lessees making certain improvements at the Saline, and it appears from the Auditor's books that there is now due a considerable sum for rent, metal, &c. If the manufacturers were required to pay in proportion to the amount of salt made, there would be to them no accumulation of

debt, nor risk of being ruined, nor to the State of entire loss of the rent, or occasion for relief acts, but a just proportion of the value of whatever salt was made would flow promptly and regularly into the State Treasury.

In fulfillment of the duty imposed by the Legislature, the Executive has endeavored to ascertain the terms on which a loan could be procured by the State, for the purpose of constructing a Canal from Lake Michigan to the Illinois River. But owing to the great fluctuation and depression of the money market, and the uncertainty of its situation during the next year, capitalists were reluctant to commit themselves as to any specific terms on which they would be willing to make a loan at so remote a period. From the best information, however, which has been received, it is confidently believed, that if Congress should make a liberal grant of land, there will be no difficulty on the part of the State, in obtaining a loan at six per cent. per annum. Considering the favourable manner in which our application for a grant of land was received by Congress, at its last session, would it not be wise in the Legislature, to adopt at its present session, preparatory measures to commence this great work of improvement, predicated on a liberal grant of land being made by Congress previous to the meeting of the next General Assembly.

By a statement furnished by the Commissioner of the General Land Office it appears, that there have accrued to this State for the use of Schools $14,316.10, from three per cent. on the nett proceeds on the sale of Public Lands within it, from January 1, 1819, to June 30, 1826. Of this sum $11,657.88 have been received by the State, and the Commissioners of the School Fund have, with $10,877.38 of it, purchased $29,135.50 of Auditor's Warrants. I recommend that the amount of these Warrants be made productive, by being vested in the notes of the State Bank, which bear an interest.

Of the thirty-six sections of land granted to this State, by Congress, for the use of a Seminary of learning, I have, under the authority of the President of the United States, had twenty-six selected and reserved from sale. Entertaining doubts of the propriety of selecting some of the sections designated by the Commissioners deputed for that purpose, and as they were situated in a

district of country not yet brought into market, it has been thought best for the interest of the State, that the remaining ten sections of Seminary land should not be definitively acted on, but further time allowed to obtain more certain information, and, if possible, to make better selections.

My constitutional term of service being about to expire, I avail myself of this occasion again to make my acknowledgments to my fellow-citizens for the honorable confidence they have reposed in me; and to assure them that if I have not discharged to their satisfaction all the duties of the station assigned me, it has arisen from no want of disposition, or of anxious and indefatigable efforts on my part to promote their interest, and advance the prosperity of the State.—The fiscal embarrassments occasioned by the Bank, and the agitation of an unfortunate question, which distracted the councils, and disturbed the harmony and social order of the community, have added to the duties and increased the difficulties in the administration of the Government. But having now in a great degree gotten rid of the ill effects of these, and other injudicious measures, I retire from it, with the pleasing reflection, that, if profiting by experience, a wise and prudent course should be pursued, we have every reason to anticipate a rapid increase of the population and resources of the State, and of the prosperity and happiness of its citizens.

EDWARD COLES.

EXECUTIVE DEPARTMENT,
December 5, 1826.

COLES TO EDDY, December 9, 1826

[Eddy MSS.]

VANDALIA Dec: 9. 1826

Dr SIR:

From what you told me when I had last the pleasure of seeing you, I had hoped to have seen you here before this, prepared to go to the Eastward. I am sorry to hear from Judge Brown that you have gi[v]en over your contemplated tour. I expect to set out some time next week, and should have been much gratified to have had your company.

I believed I have paid for the Ill[s] Gazette up to about this time, and as I shall be absent from home for four or five months, I wish the paper not sent to me again until you hear from me, in other words I wish it discontinued for the present.

With great respect & esteem yours

EDWARD COLES

[*Addressed:*] Henry Eddy Esq: Shawneetown
[*Endorsed:*] Gov. Coles 9 Dec. 1826.

COLES TO THOMAS SLOO JR., February 15, 1827

[Selections from the Torrence Papers, VII., *Quarterly Publication of the Historical and Philosophical Society of Ohio*, 6: No. 3, 58]

WASHINGTON FEB[RUARY] 15,1827

My Dear Sir:

Owing to my having been detained in Virginia, by the business which took me there, I did not reach this until the 5th instant, when I had the pleasure to receive your letter of 8th ult[imo] previous to which however your fathers letter to the Com[missioner] of the Gen[era]l Land Office had been delivered by Mr. Kane. I immediately waited on the Com[missioner] read with him your Fathers letter, and made to him, and afterwards to the Sec[retary] of the Treasury, and his chief clerk, all the explanations necessary to a thorough understanding of the subject; and from what passed I think there will be no hesitation, when the subject of compensation for clerk hire is passed upon by the Sec[retar]y, to allow your Father the amount claimed by him viz: as much as is allowed to any other Register in whose office the same am[oun]t of labour was performed. There are several other Land Officers who are in the same situation; unable to produce vouchers from the death or removal of the clerks employed. There will of course be one uniform rule established, and from what I can gather from the Secretarys conversation it will be a liberal one. I have explained to him in detail the amount of labour done by your Brothers, and every thing in relation to your Fathers case; and also of the hardships of other cases, especially of that of Mr Humphries of Kaskaskia, who employed no clerk, but performed all the labour himself. I have adduced other

cases, and by various illustrations endeavoured to show that sheer justice required that clerk hire should not be allowed by the vouchers only, but other considerations, all of which I explain to him, should be taken into the estimate; and gave it as my opinion that the most just and equitable mode would be by an exact appointment of clerk hire to the labour performed; whether performed by the principal, by his children, or by hired clerks. Vouchers have not yet been rec[eive]d from the different Land Officers, they are however coming in from time to time. But such is the press of business at this time, that if the vouchers were all in, the Sec[retary] would not have time to attend to it until after the adjournment of Congress.

Before my arrival here the Sec[retary] of War had appointed young Menard, on the recommendation of Cook, as the Indian Agent at Peoria; and also had filled the vacancy at Chicago, of the existence of which I was unappraised until my arrival here, by the app[ointmen]t of some one from Virginia. I spoke very freely in disapprobation of this last app[ointmen]t to the Secretary, told him it was disrespectful to the State, and unjust to its citizens, that we did not claim as a right to share in the loaves and fishes, but that we did to the *crumbs* which fell from the public board *on our soil.* But it was then too late to reconsider, the app[ointmen]t had been made. I cannot but think if I had been here I could have prevented it, and if I could not have gotten it for a friend, I could at least have had it confered on a citizen of the State.

I find prevailing here an extraordinary degree of excitement among the active politicians. Men who were heretofore of the same party are now separated; and as to the boundaries of party are not well defined, there is a good deal of jostling and irritation. Each one makes himself the standard, and charges upon the other a dereliction of principle or a desertion of friends. From the language of the late supporters of our friend Crawford, among whom were the purest Republicans of the country, you would suppose this the age of *evil alternatives*; for they neither like Adams or Jackson, and are driven, they say, to a choice of evils; and are unfortunately divided in opinion as to the greatest evil. I was much gratified two nights since, in explaining our Illinois politics,

and the causes which led to Edwards election, and speaking of you as a good Crawfordite, who, like myself, had prefered to all other men at the last election, and were uncommitted as to whom we should support at the next, willing to wait events and at the proper time to select the best man. Two or three of the Crawfordites present, simultaneously exclaimed that they [torn off] concurred with us, and that it was the proper course for all to pursue. I have many old friends on both sides of the question, both for and ag[ains]t the Adm[inistratio]n, and have a good opportunity of hearing much on both sides. When we meet I shall be able to amuse you with many anecdotes, both as to men and to things.

I shall leave this in about one week for Phi[ladelphi]a, and shall return through this place to Virginia in March, and from thence shall return to Illinois in April or May. I cannot say exactly when I shall be back, as the business connected with my late Mothers estate has not yet been settled; but I have reason to believe it will be in April. As soon as this is done I shall set out for the West. I am very anxious to hear the result of my suit before the Supreme Court, and what the Legislature has done, and how things are going on in Illinois. Our last newspaper date was January 20.

I caught a very bad cold on my way here, and have and still suffer very much with it. I have not been so sick however but that I have been able to dine out *every day* in large parties and gone every evening but one to an evening party. This you will say is rather too dissipated for a quiet fire side Western man. I own it. But I have many valued friends here, where I resided six of the happiest years of my life, have not enjoyed their society for seven years, and shall not remain among them but 2 or 3 weeks. This will excuse me even with you who are a more quiet fire side man than myself. Gen[eral] and Mrs. Findlay I see often, they are both well.

My respectful compliments to Mrs. Sloo and your Father and accept for yourself the assurances of my great respect and sincere regard.

COLES TO PRICKETT, July 8, 1838

[Chicago Historical Society, Autograph Letters, 45: 49-50]

ALBEMARLE COUNTY VIRGINIA, July 8 1838

Dr SIR:

Your letter of June 18, directed to Philadelphia, was forwarded from thence and received by me yesterday, I am gratified by the notice given you by Messrs Purviance & Seybold, as I am & have long been anxious to receive the amount due me. I desire you will employ counsel, and take all the proper steps to foreclose their mortgage, have the property sold under it, & if it should not sell for a sum sufficient to pay the amount of principal & interest due me, to call upon and make the parties pay the deficiency under their note. In short I want to collect the amount due me as soon as I can under their *mortgage* & *note*. The amounts heretofore paid on this note were paid on account of interest—therefore the full sum Loaned remains due, together with interest—with the exception of the small amount which has been paid on account of interest.

I do *not* wish you to remit me the amount which may be received, but to deposit it in the Bank at Alton to my credit, & notify me of it as soon as you have done so—letting me know the exact amount deposited. If you should not be able to make the whole sum of principal and interest out of the mortgaged property, deposit what you may receive in the Bank, & let me know when I may expect to receive the balance.

I have been here but a few days—shall remain here till September, when I shall return to Philadelphia. My health has not been good for the last month—I hope however the mountain air of this place will soon restore me. Tell Robert & Kate their friends are all well here. I write you this in haste to send it by a gentleman who is going to Charlottesville—The Post-Office of this place is Garlands store.

I congratulate you on your appointment as Receiver & am in great haste your very

Sincere friend

EDWARD COLES

To ISAAC PRICKETT Esq:
Edwardsville

COLES TO PRICKETT, May 10, 1839

[Chicago Historical Society, Autograph Letters, 45: 51]

S[t] LOUIS May 10 1839

DEAR SIR:

It seems Mr. Lusk & myself were equally unfortunate in our efforts to see each other while he was over here. I do not know that it was important that we should, except that I was anxious to see & pay him for bringing my Box & Trunk from your town to this. Having left this before I saw him, I have to ask the favor of you to pay him for bringing them, & to charge me with it—letting it come out of the $100 left in your hands to pay my Taxes &c.

I am sorry as to what passed between Robert & myself, as to the amount paid sent by Jesse On receiving your letter by Mr. Lusk, I turned to a little mem[m] of our a/c made out from your letters,& found it was as you stated it, & that all was right.

I have not seen or heard any thing from Dr. Edwards & Mr. Wilson. I hope the Doctor has not fixed upon the time of holding the Court in Edwardsville for the payment of the Note, to prevent suing out process against him & Wilson until after the next term of the Court—but with the bone [*sic*] fide intention of then paying me. Time will show.

I hope to leave this place this afternoon or tomorrow morning for Philadelphia

I am with great respect your friend

ED: COLES

COLES TO PRICKETT, November 5, 1839

[Chicago Historical Society, Autograph Letters, 45: 55-57]

PHILADELPHIA Nov: 5. 1839

DEAR SIR:

Your conduct while here in July last not only surprised me, but gave me just cause to find fault with you. Having lived so long as neighbors & friends I had a right to expect you would have given me opportunities of seeing much of you during your sojourn in the City. So far from it you never came near me but

once, and that was on Sunday morning during Church hours, when you had a right to expect me at Church, where I was. Though my child was ill and suffering very much, I called to see you at the Hotel almost every day while you remained, without having had the good fortune to see you. At length I cant tell you my surprise when the Barkeeper told me you had left the City. Is it possible, I exclaimed, he has left the City without letting me see him? Really I did not think you would have treated me in this way. I thought not only your attachment to me, but your curiosity to see my Wife & children would have induced you to have taken much pains to have seen us. Well it is said this is the way of the world, and we should learn to bear it without too much mortification. But independent of these considerations, & my desire to have seen & entertained you at my House, I was anxious to have seen you about what I am now going to write you. You will recollect when I was in Edwardsville in May last, D^r^ Edwards promised me he would pay up all he & M^r^ Wilson were due me at August Court. I hope he has done so. But if he has not, & *he still neglects to pay the interest due on the note*, I desire you will place the note in the hands of some good & trusty Lawyer in time to institute suit before the next term of the Court in your County. I beg you will bear this in mind & not let another term of the Court pass before suing him. If however he should pay up all the Interest due you may give him further time to pay the principal—provided you think further delay will not endanger the debt.

I wish you also to press the Gillhams for payment, and if they should neglect to pay Interest, sue them also. They owe me too small a sum for me to desire it to remain at interest—I therefore wish you to urge them to pay me as soon as possible.

You know I have written to Mess^rs^ Moore, Morton & C^o^ to draw on you not only for my Taxes for 1838 but also for 1839.—They will pay all my Taxes for the State, County, road &c, on my Military Bounty Lands—of course you will have no Taxes to pay for me this year at Vandalia. You know I count on your paying my Taxes in Madison County—that is on my farm near Edwardsville, containing 474 acres, and two Lots in your town,

all of which I listed with the assessor for taxation when I was in Edwardsville in May last.

I am happy to tell you, my little Boy, who was so afflicted when you were here, & who you cared so little about seeing, has gotten entirely well—and to add that we are all now in good health. Mention this to Rob^{t} & Kate when you see them, & when you write let me know how they are. Present me kindly to your Wife and Nephew and to M^{r} & M^{rs} Lusk—M^{r} & M^{rs} Thompson—M^{r} & M^{rs} Atwater & all my old friends near you and believe me to be truly and sincerely your friend

EDWARD COLES

COLES TO PRICKETT, June 12, 1840

[Chicago Historical Society, Autograph Letters, 45: 61-63]

PHILADELPHIA June 12 1840

DEAR SIR:

I cannot express my astonishment on the receipt of your letter of the 30th of May to learn the state of the debt from Wilson & Edwards to me—that the situation of the latter should have been so desperate as to have confessed judgement for thousands, & made an assignment of his property to his Brother & others to settle his business in March last, & that there should have been nothing known of all this at Edwardsville until it was too late to do any thing for me—but above all that the mortgage I hold on Wilsons property is worth nothing! It seems to me there must be some mistake in this, as the money was loaned for me & the mortgage taken by Alex: Miller, who being not only one of the most business but one of the most vigilant & cautious men I ever knew, seems almost impossible that he should have taken a Mortgage from Wilson on property which did not legally belong to him. You say I should have gained nothing by your complying with my request to institute suit ag^{t} them before the last term of the Court. Perhaps not—nor am I prepared to say what I should have gained by the progress which would have been made in obtaining a judgement, nor what advantage a speedy judgement would now be of to me—These are questions with which I wish you to make yourself acquainted—& if necessary to obtain legal

advice—so as to pursue that course, under existing circumstances, which will be best calculated to secure me all, or as much as possible of what is due me from Wilson & Edwards. I beg you will give your immediate attention to the subject, & do all in your power to recover as much as possible of the amount due me. And as a stimulous to your prompt & active exertion, & in the candor of an old friend, I will say to you, you have not been as attentive to my instructions as to this debt as you ought. Time after time, & for years past, I have written you if you thought the debt in danger, or if they omitted to pay the interest on their debt regularly to sue them & make them pay up the whole amount due me. As far back as July 2. 1836 I wrote you—"if they (W. & E.) refuse or neglect to pay the Interest then due I desire you to place the note & mortgage in the hands of some Lawyer in time to have it acted on at the *next* meeting of the Court in Madison County." On Oct: 10. 1838 I wrote again & used almost the same emphatic language I had used in July 1836.—If Wilson has no legal title to the House, he probably owns the furniture and other property, which should be secured if possible to me. The property too which Edwards has assigned for the payment of his debts, will I take it for granted be disposed of for the benefit of all those to whom he is in debt. The question is what steps should be taken to recover my debt against Wilson & Edwards—to get possession of any means the former may have, & my just proportion of the property assigned by the latter for the payment of his debts. As to relying on what may be effected by "*coaxing*," which you seem inclined to, I think we have no encouragement to pursue further that system—which has in my opinion been carried too far already—& must be totally unavailing to those to whom Edwards' property has been assigned—they will pay only legal claims presented in a legal form. The time is now come for the payment or settlement of the debt, & I wish you to take legal advice as to what steps should best be taken to effect it. If Wilson has little or nothing to pay with, & I have to rely on Edwards property which has been assigned to the payment of his debts, it should not be suffered to be sacrificed under the auctioneers hammer—but a portion of it purchased in so as to save my debt—I desire you therefore to consider yourself authorized by

me thus to purchase in the property, so as to save the debt—*if money cannot be obtained in payment of it.*

Your letter of March 12. was duly rec^{d}:—I regret you did not give me a full statement of our account—showing as well what you had paid out as what you had rec^{d}: Moore Morton & Co write just as you did, that they had paid my Taxes for 1839 without saying how much they had paid, or whether they had drawn on you or not. The $144.1/2 reported in your letter of March 12 as having rec^{d}:, together with the $100 left in your hands in May 1839., & the $120 the am^{t}: of Interest due on the Lusk note on the 4th of May (last month) would together make in your hands $364 1/2—Now if I knew the am^{t}: you & Moore &c had paid for Taxes &c I should know the am^{t}: you had left. I am the more anxious to know if my Taxes have been increased or diminished by the late Tax Law. I wish you would call on the Gillhams for payment, & if they refuse or omit to do so—to sue them. Agreeably to your request I annex a note to the Mess^{rs} Lusk, which you will please deliver to them. We are all pretty well. I desire to be remembered to your Wife, friend Thompson—& to Robert & Kate—I am very truly your friend

EDWARD COLES

To ISAAC PRICKETT Esq:

PHILADELPHIA, June 12. 1840

GENTLEMEN:

Your note to me for $1000., with Interest for one year, became due on the 4th day of May last. I have rec^{d}: a letter from Mr. Prickett, dated the 30th of that month, in which nothing is said about the payment of the note or the Interest due on it. As the money was loaned for but one year, with a very explicit & dwelt on declaration that you would be punctual to a day in the payment of the Interest, & not having done so, or said any thing about continuing the loan, and having rec^{d} an intimation of a desire to have the note paid by one of the parties to it—it becomes my duty to call on you for the payment of the note, & to desire you to pay the money into the hands of my friend and Agent M^{r}. Isaac Prickett. With my best wishes for your health and happiness I am your sincere friend

EDWARD COLES

To A. J. LUSK & Co—J. T. LUSK & ISAAC PRICKETT Esqs

COLES TO PRICKETT, September 4, 1840

[Chicago Historical Society, Autograph Letters, 45: 65-68]

FAUQUIER SPRINGS VIRGINIA September 4. 1840

DEAR SIR:

Your letter of Aug^{t}: 21., directed to me to Philadelphia, has been forwarded and rec^{d}: by me here. I hasten to acknowledge it,& to say I expect to be back in Philadelphia the first—certainly during the first *week* in October—when I shall be in want of money, and must ask the favor of you to send me all the money you may have in hand of mine—after paying my Madison County Taxes for *this year*—which I see from the statement of receipts & disbursements contained in your letter of Aug^{t}: 21 had not been then paid. The Bank stock which I own having given me no Dividend for the last 12 months, makes it the more necessary for me to receive the balance which may remain in your hands. I wish you to send it to me as soon as you can after the 1st of Oct:—so that it shall not reach Phil^{a} till after I get there—if by a Draft to be made payable to my order—to be sent by the mail, or by a friend as you may have an opportunity or may prefer. My friend & Agent Col: John OFallon of St. Louis sends me money occasionally by mail which has always come safe, and at much less discount than I could obtain a Draft in Philadelphia or St. Louis.—Dont forget to pay my Madison County Taxes—on my Farm & Edw^{ville} Lots for 1840.

You would confer a favor if when you next wrote you would inform me by what right or title Wilson held & occupied the House which you say he mortgaged to me in Ap: 1834, but which Greathouse Deeded to Edwards in Feb: 1837. I am as sure from my knowledge of Alex: Miller, that he had evidence before he took the mortgage that the House belonged to Wilson, as I am that both Wilson & Edwards always spoke to me of the House being the property of Wilson. I should also like to know what consideration Edwards paid for the House—what led him to buy it—or rather have the Deed made to him—& whether Greathouse did not first make a Deed to Wilson—or give him his obligation to make a Deed—& whether the Deed to Wilson, or the obligation to Wilson, was not destroyed, & the title instead of passing to Wilson was passed to Edwards, in order to avoid my mortgage,

or secure Edwards in his liability for Wilsons & his debt to me—In a word I should like to have this mysterious business explained. There may be some things not of record which, if known, would vitiate what are of record, & which you seem to think are conclusive because they are of record.

Are you not mistaken in dates where you say in your last letter that I "on the 2^{d} July 1836 requested that suit should be commenced, & upon the 26th of that month I (you) handed the papers to Gillispie [*sic*] & Cowles who commenced suit on that day, & at the next Aug^{t}: term found that your (my) mortgage was in the situation as stated above, & made a motion to withdraw the suit, which was granted, the cost of that suit & Lawyers fees I (you) have paid myself out of my own funds." Now it is true I wrote & requested you to sue Wilson & Edwards on the 2^{d} of July 1836, but you certainly must be mistaken when you say, on the 26th of that month (July 1836) that suit was commenced, & at the next Aug: term (viz Aug: 1836) the suit was withdrawn, in *consequence of having discovered that Greathouse had made a Deed "on the 1st Feb: 1837"* to Edwards—when the Deed to Edwards was not made till *six months after the sitting of the Court.* I must also say it [*MS. torn*] extraordinary that I should never have heard of this Deed from Greathouse to Edwards, made in Feb: 1837, till June 1840—though I had not only rec^{d} many letters from you, but had spent some days at Edwardsville in May 1839, in company with you, Wilson, Edwards &c &c. With respect to any cost you may have been at in suing Wilson & Edwards, I must insist on its coming out of my funds in your hands, & not out of your funds. I desire therefore you will take this cost out of the funds now in your hands of mine.

The Gillhams must pay the sum they have been so long due me—if they refuse, they must be forced.

I shall leave this in a few days to make a visit to my relations in Albemarle County—my Family have been well this summer. I am sorry to hear that you & yours have not been—I hope this will find you all well—as well as Robert & Kate &c

With my kind recollections to you & yours—& also to Robert & Kate—& hoping you will be able to send me, so that I may be

able to receive it during the first week in Oct:, the balance in your hands, I am very truly your sincere friend

EDWARD COLES

COLES TO PRICKETT, November 4, 1841

[Chicago Historical Society, Autograph Letters, 45: 69-70]

PHILADELPHIA Nov: 4. 1841

DEAR SIR:

I wrote you on the 21st of May, since then I have not heard from you, except a short postscript to Mr. Martins letter of June 22 from your Nephew George in which he informed me you were then too unwell to write. I answered Mr. Martins letter July 12, under cover to you, with the view that you should see it—and altho' I urged him to give his immediate attention to the subject, it is now near *four months* and no letter or word have I recd: from Mr. Martin or yourself. In a letter just recd: from Robert Crawford, he informs me you had told him you had written me, & you presumed I had recd: your letter by that time (October 23d) this makes me fear your & Mr. Martin's letters may have miscarried, & I am the more anxious about it, as I think it probable you sent me money in your letter, as I desired you to do so in my letter of May 21.—& what makes me the more anxious is several sums have recently been purloined from the Post-office which were sent to this City.

I hope Mr. Martin has read my letter carefully, and from that & other sources made himself accurately acquainted with all the facts of the case, & that he has not been as neglectful of my interest as he appears to have been. I hope soon to hear the matter has been satisfactorily adjusted—And that you will let me know all about the property included in my mortgage—the size of the House & Lot—what state of preservation they are in—& what they are worth & could be obtained for them if now sold.

I presume from what you wrote me that the Messrs Lusk paid the amount of Interest due me in May, & that the Gillhams have at last paid the amount of their note. After paying my Taxes in Madison County, and Moore, Mortons & Co draft for

the amount of Taxes paid by them—or retaining about enough for these purposes—I wish you would send me the amount you may have collected for me, as I am in want of money. Send me also the Madison Tax Receipt for this year.

My health, which has not been good this summer, is now good—which is the case with my Family. I hope you have regained yours, & that you & yours are well & well to do, & may long live in the enjoyment of health & happiness, prays your sincere friend

ED: COLES

I wish you to say to my old friend Mr. Barnet, if I ever authorized him to cut & use fallen timber on my place near him, I recall the permission, as timber is scarce, & all the fallen or decayed, as well as the standing & growing, is wanted for the use of the place. I desire you also to mention this to Robert Crawford, as he has the place & timber in his special care & keeping.

Say also to Robert that his letter just received does not answer mine, nor give the information I applied to him for. The gentleman in whose behalf I wrote to him wanted Robert to refer to the particular texts in the Bible which Robert once referred me to.

COLES TO PRICKETT, September 2, 1842

[Chicago Historical Society, Autograph Letters, 45: 73-75]

SCHOOLEYS MOUNTAIN NEW JERSEY September 2, 1842

MY DEAR SIR:

My health being such as to require the use of Saratoga water, I left my Family here and went on to the Springs, from whence I returned yesterday, and found your letter of the 11th of August, which you directed to me to Philadelphia, & was from thence forwarded to this place. I hasten to express my regret that you should so long have neglected to attend to the request contained in my letter of Dec: 30, in which I enclosed you a letter to the Messrs Lusk, calling on them to pay me, & stating to you, if they would not pay me, & it should become necessary to sue them, & to have their Note, I would send it to you on your writing me that it was necessary to have it in Edwardsville.—I regret this delay

the note as their Note was placed for safe keeping, with other valuable papers of mine, in the vault of a Bank in Phil[a]. before I left home, & cannot be obtained until I return, which I do not expect to do until about the first of October. In your last letter you say, "I will forward the note immediately judgment may be obtained at the Sept. term of the Court"—but as I was not in Phil[a]. & the letter had to be forwarded, & was not even then rec[d]. in consequence of my being absent from this place, I presume it will not be in time to forward the Note for it to be rec[d]. in time for the Court which is to sit in this month. You had better commence the suit as soon as possible—if they still refuse to pay, or to give what may be considered by you satisfactory assurance of their intention & ability to pay their note soon—and I will send their Note as soon as I return to Philadelphia.

I regret you said nothing about my letter of Dec: 30 last, as it related to several matters about which I have been long anxious to receive an answer. I trust it was duly received, & that you attended to the mistake made in the payment of the Taxes of last year—that you delivered the letter I enclosed you to the Mess[rs] Lusk—that you rec[d]. the Bond which I enclosed you (the Bond sent me by Mr. Martin) & made the explanations I desired you to make to Mr. Martin, & had the mistakes corrected—that you have had the Deeds of Wilson &c &c Recorded &c &c &c. When you write me again I wish you [to] read over my letter of Dec: 30, & give me information upon all the points alluded to. You will not I hope forget to pay my Taxes on my Farm of 474 acres in Madison County & my two Lots in Edwardsville for the year 1842.—Nor lose sight of the fact that Wilson is bound to pay me near $84 on the 24[th] *of this month*, & if he neglects to do it, he forfeits his House & Lot—on that day therefore I must ask the favor of you to call upon him for the Interest money of near $84, and on his omission to pay it, to dispossess him of the House, and to put a good Tenant in it at the best rent you can get for me. I hope between Wilson and Lusks—& Gilhams you will be able to collect money enough to pay my Taxes &c.

I wish you to retain in your possession, until you hear further from me, the Deeds from Edwards and Wilson for the House &

Lot in Edwardsville. I hope you have had them Recorded—if not do so promptly

Give my compliments to your Wife & other friends, not forgetting my old friend Lusk, & tell him from me to pay me & not force me to sue an old friend.

Remember me also to Robert & Kate & believe me to be very truly & sincerely your friend & well wisher

EDWARD COLES

[*Endorsed*] Answered at Length Nov 16th 1842

COLES TO GILLESPIE, November 15, 1842

[Chicago Historical Society, Autograph Letters, 14: 119-120]

PHILADELPHIA Nov: 15. 1842

DEAR SIR:

Enclosed I send you a Note of A. J. Lusk—J. T. Lusk & Isaac Prickett for one thousand dollars, made payable May 4. 1840, and on which Interest has been paid to May 4. 1841. Mr Prickett one of the parties to the Note, but who became so as a friend & surety of the Messrs Lusk, has written to me to say he is no longer willing to continue liable for this debt, & is desirous that I should coerce payment. I request you will immediately call on Mr Prickett, & let him know you have received this Note from me, and apply for his directions as to what you are to do. For myself I had rather not sue my two old friends J. T. Lusk & Isaac Prickett—but if Mr Prickett is anxious for the debt to be paid, and the Messrs Lusk refuse to pay it, or make any arrangement satisfactory to Prickett—you will be pleased to bring suit when Mr Prickett directs it to be done. As I shall be anxious to hear of the receipt of the enclosed Note, I must ask the favor of you to write me as soon as you have recd: it, and seen Mr. Prickett & learnt what will probably have to be done. When the money is paid or collected, I wish it to be placed in Mr. Isaac Pricketts hands for safe keeping—he acting as my Agent & friend in that part of the Country.

I should sooner have written to you but for my having been in daily expectation of hearing from Mr. Prickett in reply to my letter of Sep: 2.—I wish you would tell Mr. Prickett I am extremely

anxious to hear from him on the different subjects treated of in my letters of Dec: 30 & Sep: 2—and that he has been able to collect money enough to pay my Taxes in Madison County, & the small call which will be made this year on him by Messrs Moore, Morton & Co (they having in hand money of mine $26) to pay my Taxes in the upper Counties.

Hoping soon to hear from you I remain

very truly and sincerely yours

EDWARD COLES

JOSEPH GILLESPIE Esq:

EDWARDSVILLE

I shall expect your charges, for any professional services you may render me, to be reasonable & moderate—such as you make your neighbors & friends pay—for such I long was & feel that I am yet

[*Endorsed*] The above is in the handwriting of the second Governor of Ills.

J. GILLESPIE

COLES TO PRICKETT, December 20, 1842

[Chicago Historical Society, Autograph Letters, 45: 77-80]

PHILADELPHIA Dec: 20. 1842

DEAR SIR:

Your letter of Nov: 16. has been rec^{d}:, and I must freely confess I am at a great loss to know what answer to make to it, or how to express my surprise that you & my old friend Lusk should request me to take land in payment of your debt to me. From my long acquaintance & great regard for you both, I should like to do any thing I could to oblige you, but in this case you ask what I cannot do. When I made the loan I preferred individual security to the security of a Mortgage, because I feared the Mortgaged property might be thrown on my hands, & I should be compelled to take it—there being nothing else for me to have. But when I made the loan, with you & my old friend Lusk as jointly & severally bound, I felt confident the money was safe, & that the contract would be faithfully complyed with—and this I must yet believe, notwithstanding the *new* views taken in

your last letter. For your preceding letter of Aug: 11. was written for the sole & express purpose of reminding me that you were the security, and urging me as such to send on the note & commence suit immediately, that judgement might be obtained at the last Sep: term of the Court. Every expression of your letter of Aug: 11. was founded on the idea that the parties would have to pay the amount of the Note in money—judge then of my surprise at your proposition, & your remark in your last letter, that if you should be compelled to pay the Note you would "have to turn out Lands." I cannot account for this change in your views & conduct; and I regret you should have me risk the Note by sending it by mail, & put me to the expense of employing a Lawyer, which was done only in compliance with your wishes, & to oblige you, & to promote your interest. I had no wish or intention to sue you & the Messrs Lusk, I only yielded to your urgent solicitations, under the impression that I was by so doing befriending you. I waited a long time under the hope & expectation of hearing from you, in reply to my letter of Sep: 2d, but not having done so, & fearing further delay might operate injuriously to *you*, I wrote & enclosed the Note to Mr. Gillespie, & stated to him that I had rather no suit should be for the present instituted; but directed him to see & confer with you, & if you wished suit to be instituted to so do, & to conform to your directions. I must now direct that no suit or legal proceedings be commenced, till I have further time to confer with my Counsel on the propriety of bringing suit (if it must be brought at all) in the Fedl: Court, or such Court as I shall have the best chance of obtaining justice & my *Constitutional rights*. In the mean time, if the Messrs Lusk will not pay enough of the Interest due last *May*, to pay my Taxes, I must insist on *you*, as one of the parties to their Note, doing so, & I cant but think you will believe it but reasonable & proper that you should do so. The aml: of Moore Mortons & Co draft for Taxes will not be as great this year as usual, as they have a balance of $26 of my money lying in their hands. As to Mr. Martins charge of $30 for taking Edwards Deed to me &c, I think it enormous, & as far as I understand the service rendered to be unjust, and such as no Lawyer here would consider proper. If it is a just & reasonable charge money must be very abundant

at Alton, & very different from what you represented it to be in Edwardsville. If he will not consent to make his charge more *reasonable*, it will not be *unreasonable* to make him wait till I go to Illinois, which I intend to do early in April—at which time, if not before, I hope not only to settle with him, & you, & the Lusks &c; and in the mean time I would suggest to you & them, whether it would not be best, if times are so very hard, money so scarce, & property so low, that your & their debt[*M. S. torn*] me [shou]ld continue till times should become good when you & they can pay it without difficulty & without a sacrifice. If you & they will pay me the Interest punctually, you may have your own time to pay me the principal—and it seems to me to be greatly the best for you & them to continue the debt on these terms, rather than sacrifice property in such times as these to pay the debt—to say nothing of the great expense which will attend a suit, carried as it probably would be to the Supreme Court of the U. S.—for if I am driven to the Law, I will go to the end of the law, & get all the Law & the Constitution will give me.

In speaking of Mr. Martin, I ought to have added that his fee should have been the less in consequence of his neglect to do what he ought to have done—to answer my letter of Dec: 30 (which you say was handed to him) & informed [*sic*] me if the mistakes I pointed out in the Bond had been corrected—if the Bond had been recd: & delivered—the Deeds of the assignees of Edwards, & from Edwards & Wife to me had been recd: & recorded &c &c—all this, & various other matters connected with that letter, I have been kept in ignorance for *one whole year*, though I have written twice since then enquiring about them.—Mr. Wilson forfeited his House as much by failing to pay the Interest last Sep:, as he will forfeit it by not paying the principal next Sep:—& if I am to get nothing more next Sep: than the House, then of course I lose the Rent of the house for one year by not enforcing the contract this year. But you say he could not be gotten out of the house by the forms of law for a year. This seems a long time to get a man out of a house which did not belong to him. You say he *promises* to give up the House next Sep:—Will he keep his promise? You know him best & can best judge. If he is to remain, have his removal at the appointed

time (Sep: next) placed beyond a doubt. It will then be too bad to have in Sep: next to go to law to get him out, & lose Rent for *two years*.—You ask for a list of my Taxable property in Madison County on which you are to pay Taxes—S. W. 4.—S. E.5.—East ½ N. E. 6.—& the N. ½ N. W. 9. in T. 4 N. of R. 7. West—containing in all 474 acres (all being complete ¼ or ½ quarters, except E ½ N. E. 6., which contains but 74 acres). I also own two small Lots in Edwardsville N—193 & 195 on Main St. unimproved. These two Lots, & the N. ½ N. W. of Sec: 9., were not included in the Tax Receipt of 1841—about which I wrote you Dec: 30. '41, & which you say in your letter Nov: 16 you have since paid. Will the Estate of Gillham never pay its debts? Thank Mess[rs] Gillespie & Niles for their letter of Dec: 3.—give them my directions not to sue until they hear further from *me*, & take good care of the Note till they hear from me, or see me early in April. You say Edwards Deed to me has been placed on Record—Have you not had Recorded the Deed of the assignees of o[*M.S. torn*]ards to me? Take care of these Deeds & the [*M. S. torn*] receipts till you see me in the Spring. Your friend

EDWARD COLES

COLES TO PRICKETT, May 11, 1843

[Chicago Historical Society, Autograph Letters, 45: 81]

ST. LOUIS May 11. 1843

D[r] SIR—

I write to say I am here—shall leave it [*sic*] this afternoon for the upper Country—& expect to be in Edwardsville about the middle or last of next week—when I hope I shall have the good fortune to see you, & the Lusks—Wilson—Gillaspie, [*sic*] & all with whom I have business—as well as my old friends & acquaintances generally. I hope you will have collected the balance of Gillhams debt. Tell Robert of my coming, & my hope that all rent for my place near him will be paid me when I am in Edwardsville.—Tell M[r]. Gillaspie also of my intention to be with you—so that if he should have to leave home before my arrival he will leave the Note sent him of the Lusks &c to me, so that I may get it—

I am very respectfully

EDWARD COLES

Since I arrived here I have sent the Messrs Moore, Morton & Co the necessary funds with which to pay my Taxes—which they informed me you had refused to send them.

COLES TO PRICKETT, June 24, 1843

[Chicago Historical Society, Autograph Letters, 45: 83-86]

PHILADELPHIA June 24. 1843

DEAR SIR:

The sum, the amount of which you could not recollect, which you informed me had been paid to the Judge of Probate of the Gillhams debt, & which I was unable to ascertain, in consequence of the absence of the Judge of Probate when I was in Edwardsville, I hope you have in pursuance of my request collected of him, & that that sum together with what Robert promised to collect of Rent money, & pay to you the week after I left you, repaid you the small sum you were in advance to me, & put you in funds to pay my County Taxes for 1842., which I hope you will have paid before the receipt of this letter.

You will recollect that I told you Mrs Mason had promised to look among her papers for the Deed from Jordan Uzzell to James Mason for the Lot on which is situated the two brick houses owned by you & me in Edwardsville, and to enclose the Deed to you, if she found it, if not to let you know she had not been able to find it. If she should not be able to find the Deed, which is an essential link in our title, I desired that you would at our joint expense obtain a quit claim Deed from Jordan Uzzell to you & me, & this I expressed a wish should be done as soon as possible, as Uzzell might die, & as he was an old man the danger was the greater of his death. Uzzells Deed to Jas: Mason, or if that should not be found, Uzzells quit claim Deed to us, you will of course have recorded.

You will recollect the Deed from B. F. Edwards & Wife & his assignees to me for the brick house, which you had recorded, & which you gave me while in Edwardsville, was found by me to be erroneously drawn, as to the description of the boundaries of the Lot, by Lawyer Martin, & that I returned it to him while in Edwardsville to have it corrected, or another Deed drawn &

executed, and desired him to [send] you that Deed & the corrected one, & also James Masons Deed to John S. Greathouse—& Greathouses Deed to B. F. Edwards—& Edwards Deed to me—and you will recollect I asked the favor of you *to have recorded the corrected Deed to me from Edwards & Wife & his assignees.* I have now to repeat these various requests, & to ask your prompt & faithful attention to them, & as soon as you have done so to write me fully on the different subjects—and by the first safe opportunity (& if none should offer sooner you could send them by one of your Members of Congress in Nov: next) send me 1.Uzzells Deed to Mason, or to us as it may be—2.Masons Deed to Greathouse—3.Greathouses Deed to Edwards—4.Edwards & Wife & his assignees Deeds to me—*the erroneous as well as the corrected one*—& 5. my Receipt for Madison County Taxes for the year 1842.

On your receiving the corrected Deed from Mr. Martin, & before you have it recorded, I wish you would examine it & see that it is correctly drawn. The Lot is described *in the same words*, both in Masons Deed to Greathouse and in Greathouses Deed to Edwards, as you will see in the Recorders office, in Book No 14. in pages 476 & 478.—The words are—"Beginning at a point on the line of the public square opposite to the center of the aforesaid dividing wall—thence N. 40° E. on a line with the centre of said wall 208. feet—thence S. 50° E. 67. feet to the cross street—thence N. 40° E. along the line of said cross street 100 feet—thence N. 50° W. 134 feet—thence S. 40° W. 308 feet—thence S. 50° E. to the beginning." Mr. Martins blunders in drawing the Deed, & want of attention to t[he] matter—particularly after my pointing out a similar error in the Bond he drew for me in my letter of Dec: 30. 1841—are inexcusable—& in justice he should rather pay me damages then I should pay him for such kind of professional services.

As you expressed a wish not to attend to the renting &c &c of the Brick House for me, I shall write by this days mail to my old friend Mr. Benaiah Robinson to ask & empower him to act as my friend & Agent in the renting and superintending that House for me; and as it will save trouble in every way to have all my business in & about Edwardsville in one persons care, I shall ask him also to pay all my Taxes in the county—to receive from

Robert the rent of my Farm, & from you, or the Judge of Probate, the balance due me by the Gillhams, after paying yourself the small balance I am due you, & the amount of my Taxes for last year (1842) which I hope you will have paid before you receive this letter. I desire you also to pay Mr. Martin *what is right*—he ought not to receive, nor expect to receive, a full or usual fee for services so unusually badly done. I called on him in Alton to settle this matter of the fee with him, & to complain of his negligent manner of attending to my business intrusted to him by you—he was not in his office, & when I afterwards saw him, he professed to be so much engaged at the moment as not to have time, but would see me again—but he took care not to see me. And when I sent the Deed to him for correction, he wrote you, as you told me that he had not time to attend to it then—Men who undertake business should have time to attend to it. Hoping to hear from you soon, & thankful for your kindness in attending to my business for me, & with my best wishes for you, your Family, & Nephew, I am truly & sincerely your friend

EDWARD COLES

EDITORIAL BY WARREN,[2] December 21, 1854

[*Free West*, December 21, 1854]

Our columns this week contain an extract from the second chapter of Governor Ford's History of Illinois. As we lived con-

[2] Warren, Hooper, born at Walpole, New Hampshire, 1790; learned printer's trade on Rutland (Vermont) *Herald;* 1814, went to Delaware; 1817, removed to Kentucky, and worked for a time on a Frankfort newspaper; 1818, came to St. Louis and worked in the office of the old *Missouri Gazette* (predecessor of the *Republican*), and also acted as agent for a lumber company at Cairo, Illinois; March, 1819, established at Edwardsville the *Spectator*, the third newspaper in Illinois; 1825, left the Edwardsville paper and was associated with the *National Crisis*, an anti-slavery paper at Cincinnati, but soon returned to Illinois and established the *Sangamo Spectator*, the first newspaper published at Springfield; 1829–1832, was connected with the *Advertiser and Upper Mississippi Herald*, at Galena; 1832, abandoned this field, and removed to Hennepin, where within the next five years he was clerk of the circuit and county commissioners' courts, and *ex-officio* recorder of deeds; 1836, began publication of the third newspaper in Chicago, the *Commercial Advertiser;* 1837, settled on a farm near Henry; was later connected with the publication of the *Genius of Liberty*, at Lowell, LaSalle County, and the *Western Citizen*, which became the *Free West*, of Chicago; 1856, again retired to the farm; died August 22, 1864. Bateman and Selby, *Historical Encyclopedia of Illinois*, 1: 577–578; Andreas, *History of Chicago*, 1: 383.

temporaneously with the scenes described, and our name is honorably mentioned by the author in connection with the events narrated, we hope to be excused for venturing a few remarks upon the subject.

The people of Illinois are under obligations to the late Governor Ford, for being the first to make a record of the political history of the State, at this early period. The historians of England do not attempt to bring their narratives down to less than from fifty to one hundred and fifty years of the time of writing. This policy shields the authors from contemporaneous criticism and detection of error, and probably from the resentment and persecution of the government or individuals. It is to be hope[d] that this custom will never become the prevailing practice in our country; for though it will allay prejudice, it may prevent the truth from being vindicated. Governor Ford's example will be useful in this respect. It is understood that the former Governor, John Reynolds, and the Rev. John M. Peck, both of St. Clair county, are each writing a history of Illinois. They will both, it is supposed, go back to the first discovery of the country by French travelers. That of Mr. Peck is expected to contain, not only the civil and political, but the ecclesiastical and literary history of the State. He is competent to the performance of such a work; and as he has lately retired from an active and arduous ministerial life, it is trusted, that, in his old age, he will divest himself of all prejudice, and give the public a history which shall be satisfactory to all parties, and as near as may be, to individuals.

The desire to vindicate his administration, and his public life from misrepresentation, was doubtless the principal motive of Governor Ford for writing his book. In relation to this part of the work, his statements may be explicitly relied upon, because they refer to matters which came within his personal observation. Such is the case, also, in his narratives of the Black Hawk and Mormon wars. In relation to the former, he has vindicated the character, and established the claim of the Illinois Volunteers, under the command of the late General Henry, to the honors of that war, against the unfounded pretensions assumed in behalf of a Colonel of Militia, who commanded a battalion in a neighboring Territory. And not less accuracy may be imputed to his inter-

esting account of the Mormon difficulties, which were so embarrassing to his administration.

But in the chapter which gives a very brief, and apparently hurried statement of the great contest in 1822–3–4, in regard to the calling of a Convention to amend the Constitution, so as to authorize the introduction of slavery into the State, there are some mistakes, which, though not of much public importance, yet, if the statements were worth the making, they will bear correcting. Mr. Ford, at the time of these transactions, was a law student at Belleville; and it cannot be expected that his knowledge of events should be so thorough, or his relation of them so accurate, as in those of after life, in which he took an active and responsible part.

The historian first introduces to our notice, the candidates for the office of the second Governor of Illinois, the successful one of which was Mr. Edward Coles, who was a Virginian; had emancipated his slaves in Virginia, brought them to Illinois, and settled them on farms, etc. Governor Ford cannot be held responsible for this statement. It had often before been made in newspapers, and by lecturers, letter-writers, etc. The facts are these: Mr. Coles brought his slaves, consisting of a woman with five children, four girls and a boy, from Virginia to Illinois, in the spring of 1819. Mr. C. was the owner of an improvement a few miles from Edwardsville, called "Coles' Farm". He hired men to work this farm, and put the mother in the cabin to cook for them. The girls went out to service, two of whom, alternately, acted in that capacity in our family. The boy Mr. C. kept as his body servant, until he became of a suitable age to be bound to a barber in St. Louis. In a year or two he relinquished his agricultural operation, and sold off his farming tools and implements. That Governor Coles cared for the welfare of his colored people, we know; but as to his settling them on farms, the assertion is gratuitous, and we are unwilling to believe that the Governor ever gave countenance to such a report.

It is stated that he emancipated his slaves in Virginia. The precise place is where he crossed the line with his slaves into a free State, probably Ohio; for that act was of itself emancipation. Mr. Coles, being no lawyer, was probably not aware of that fact; and being ambitious of popularity, and having high aspirations to

preferment, on the 4th of July, 1819, at Edwardsville, he executed deeds of emancipation for each person, in the presence of two Methodist ministers as subscribing witnesses.

We might occupy columns on the points adverted to in this book, in relation to Governor Coles at that period; but want of time prevents us from doing so. We will further state, however, that the recommendation of Governor Coles in his first message to the Legislature, to emancipate the "French slaves", was an exceedingly injudicious and indiscreet proposition, at that time, extremely mortifying and embarrassing to his anti-slavery friends. The great struggle to make Illinois a slave State was begun; and the only means the friends of freedom had to oppose and prevent that consummation, was to oppose and prevent the calling of a Convention. The very first thing to be done under the Governor's recommendation was to authorize the call of a Convention to alter the Constitution, which was all the slave party wanted, and which they were determined to do at all hazards before the close of the session. The committee to whom that part of the Governor's message was referred, made a report, (written by the Hon. Theophilus W. Smith, though not a member of the committee,) in which they expatiated largely on "the benevolent views of the Executive;" and regretted that Legislative relief could not be extended to the objects of the Governor's commisseration [*sic*] without an amendment of the Constitution; and for that purpose they reported a resolution for the call of a Convention. Thus was the subject precipitated.

In 1851, after the decease of Governor Ford, there was published at several times, in the Peoria Republican, what purported to be "Leaves from Governor Ford's History of Illinois," one of which is the extract on the first page of this paper from the book. On comparing the book with the "Leaves" we find that several important and material alterations have been made in the book, for the worse instead of better. For instance, in the "Leaves," is a list of what purports to be the names of the principal men in the State who took part in the contest, in which the name of Governor Edwards, one of our Senators in Congress, is not mentioned at all. In the book, as it will be seen, his name appears in the list of partisans for a Convention. Nothing can be more

untrue; for although Governor Edwards then held slaves in Kentucky and Missouri, he opposed the making of Illinois a slave State, both at the formation of the old Constitution, and at this subsequent attempt to amend it for that purpose. In this case we testify to what we personally know. He wrote, anonymously, the most powerful arguments against the expediency of the measure, in the newspaper which we published; and he often argued the points in our presence, with the Convention partisans.

In the "Leaves" was a simple statement that on the defeat of the anti-convention party in the Legislature, they rallied to oppose the measure before the people; and for that purpose, established newspapers, etc. This is merely a misrepresentation—no new newspapers were established on the anti-convention side. But it is truth itself, in comparison with the paragraph in the book, which appears to have been manufactured out of it.—We will first bring this paragraph over to look at, and then analyze it:

"But they were mistaken: the anti-convention party took new courage, and rallied to a man. They established newspapers to oppose the Convention; one at Shawneetown, edited by Henry Eddy; one at Edwardsville, edited by Hooper Warren, with Gov. Coles, Thomas Lippincott, George Churchill, and Judge Lockwood, for its principal contributors; and finally, one at Vandalia, edited by David Blackwell, the Secretary of State."

1. *One at Shawneetown, edited by Henry Eddy.*

The "Illinois Emigrant" was established at Shawneetown, in 1817, or the next year, by Henry Eddy and Singleton H. Kimmel. No other paper was established there during the pendency of the Convention question, though, we think, the name was changed.—It was decidedly pro-slavery in its character, and of course supported that party. During the latter part of the pendency of the question, Morris Birkbeck, whose residence was in that section of the State, made an arrangement with the editors of that paper, to insert in it a series of, "Letters to the People" to be written by him, under the signature of "Jonathan Freeman." Mr. Kimmel retired from the establishment, and his place was supplied by James Hall, afterwards a Judge of the Circuit Court, State Treasurer, etc. Mr. Birkbeck's appeal to the people became alarming to the slavery propagandists, and they took

measures to counteract him. Mr. Hall attacked him in the paper, furiously and in the most abusive style.

2. *One at Edwardsville, edited by Hooper Warren, with Gov. Coles, etc., etc., etc., as contributors.*

The Edwardsville Spectator was established by H. Warren in 1819, three years before these extraordinary events took place in the Legislature, which Governor Ford is made to say, as on the spur of the occasion, was established to oppose the Convention. It was from the start thoroughly and uncompromisingly anti-slavery, and stood the brunt alone in this then Far West, during the agitation of the Missouri question.

If the book has reached Philadelphia, Governor Coles must have laughed, or sworn, on reading the above paragraph, to see himself placed in the position of an appointed contributor to the Edwardsville Spect[at]or, considering his personal relation to the paper and its editor.

Judge Lockwood wrote but one article on the question, and that was a strong and convincing argument against the policy of making this a slave State. Messrs. Lippincott and Churchill, and others, wrote articles occasionally for the paper, but it had no regular contributor.

3. *And finally, one at Vandalia, edited by David Blackwell, the Secretary of State.*

The "Illinois Intelligencer" was the first newspaper in Illinois, located at Kaskaskia, the seat of the Territorial government. On our first acquaintance with it, in 1818, it was conducted by Robert Blackwell, the Territorial Auditor. Elijah C. Berry was soon afterwards taken into the concern. As the public printing was its main support, the establishment followed the seat of government to Vandalia, when a change of proprietors or conductors took place, and the management of the paper was assumed by William H. Brown and William Berry. This was an incongruous political connection, Mr. Brown being an anti-convention man, and his partner, as a member of the Legislature, had voted for all the obnoxious measures at the session referred to. The paper, on the question, was therefore neutralized.

In the Month of June, 1824, six weeks before the election which terminated the contest, David Blackwell, a lawyer of

Belleville, and a brother of the former proprietor, by some means, of which we are not advised, got possession and control of the Intelligencer at Vandalia, until the election. He turned it, for that brief period, with great effect, upon the Convention party. Mr. Brown, we believe, had no connection with the paper after that time.

So much for the story about the establishment of papers to oppose the Convention.—We can tell it better:

Upon the passage of the resolution for the call of a Convention, in the extraordinary manner which has been related, the members in the minority, both of the Senate and House of Representatives, met together, and issued an Address to the People, warning them of the imminent danger of the introduction of Slavery into the State, and entreating them to rally themselves against it.

They also concerted measures to increase the circulation of the Edwardsville Spectator. For that purpose, the sum of one thousand dollars was subscribed at once, to be paid over to the Editor of the Spectator, provided he would agree to supply them with it at half the subscription price; and they appointed a committee to call upon him with the proposition. It was accepted, though in the end it proved a loss, owing to the great depreciation of the currency.

We intend next week to republish a letter from the Hon. George Churchill, of Madison County, on this subject, to the Editor of the Bureau Advocate, and published in that paper of May 14, 1851, when we may have some further remarks to make.

H. W.

CHURCHILL[3] TO EDITOR OF BUREAU ADVOCATE, May 2, 1851

[*Free West*, December 28, 1854]

TO THE EDITOR OF THE BUREAU ADVOCATE.

Under the head of "Stray Leaves from Ford's History of Illinois" I read in the N. W. Gazetteer of Feb. 27, (credited to the

[3]Churchill, George, born at Hubbardtown, Rutland County, Vermont, October 11, 1789; received good education; learned printer's trade; 1806, became apprentice in office of the Albany (New York) *Sentinel*, and after serving his time, worked as journeyman printer; purchased half interest in small printing office; sold out at end of two years, spent five months in New York, then started west; 1817, came to Illinois; purchased land near Edwardsville, Madison County; 1819, in order to raise money for improvement of farm, worked in office of the *Missouri Gazette*;

Peoria Republican,) an account of "the first State Bank" of Illinois. It is in the main correct, but contains some errors which would doubtless have been rectified had Gov. Ford lived to prepare his work for the press. I will name a few.

1. It is said that the notes of the Bank were payable in *two* years. They were, in fact, to be redeemed in *ten* years. See the 23d section of the charter.

2. "In the summer of 1824, the Bank went into operation." It went into operation in 1821.

[These two errors are not in the book as printed. They probably originated with the compositor of the "Leaves".]

3. "Every man who could get an indorser, borrowed his hundred dollars." This remark is singularly hyperbolical.

4. "More than half of those who borrowed considered what *he* got as so much gain." It is scarcely possible that Gov. Ford, who was a good English scholar, could have suffered this sentence to slip if he had read it a second time.

[This is also corrected in the book.]

The historian ought to have stated that the paper of the Bank was receivable in payment of all taxes and debts due the State. This fact gave it nearly all the value and currency which it possessed, and as it was at a great discount, all the taxes were paid in this paper. Hence the necessity for the policy afterwards adopted, of burning the paper as fast as it came to the hands of the State, and of borrowing money to defray the expenses of government until good money could come into the treasury. This policy has been frequently condemned by men who knew nothing about the state of facts which then existed.—The establishment of the State Bank of 1821, was the first *great* error of our Legislature.

In the Bureau Advocate, of April 2, I observe another "Leaf" from Gov. Ford's History of Illinois, in which he treats of "the great contest on the Slavery Question" in 1822, '23, and '24.

wrote articles over signature of "A Farmer of St. Charles County," advocating the admission of Missouri as a free state; the same year aided Hooper Warren in establishing the *Spectator*, and was subsequently frequent contributor to its columns; 1822, elected to General Assembly; served till 1832; 1838–1842, member of Senate; 1844, member of House; 1826, aided in revision of statutes of state; collector of historical records; died 1872. Bateman and Selby, *Historical Encyclopedia of Illinois*, 1: 105, 397, 577; Reynolds, *My Own Times*, 242, 275; *Blue Book of Illinois*, 1913–1914, pp. 344, 345, 346, 347, 348, 352, 357.

A reader unacquainted with the facts, might infer from Gov. Ford's statement, that the gubernatorial election of 1822 turned entirely upon the Slavery Question, and that the subsequent election of United States Senator turned upon the same question.

The vote for Governor in 1822 was as follows:[1]

Edward Coles,	2872	Joseph Phillips,	2766
James B. Moore,	522	Thomas C. Browne,	2534
	3394		5300
			3332
			1968

Plurality for Coles 44. Majority of Phillips and Browne, (said to be for slavery,) over Coles and Moore, (opposed to slavery,) 1968 [*sic*]. Whole number of votes, 8632.

Yet there cannot be a doubt that a very considerable majority of the voters of Illinois were then opposed to slavery.

In the early years of our existence as a State, political partie[s] were very much *mixed* up. The parties which originated under the Territorial government—the one in favor of, the other opposed to, the Territorial administration—still existed, with all their attachments, antipathies, rivalries, and resentments. These entered more or less into all other elections, except when the slavery question was known to be at stake.

Mr. Coles was a new comer to the State, while the other candidates were old residents, and had long filled important official stations. Under these disadvantages, the election of Mr. Coles was doubtless occasioned by his well known opposition to slavery, although it was equally true that many opponents of slavery voted for the other candidates.

Gov. Ford says—"The leaders of the slave party were anxious to re-elect Jesse B. Thomas to the United States Senate." Some of them—perhaps most of them—were, but others belonging to the same party, were equally anxious to defeat him. Some of the opponents of slavery supported him, while others opposed him. He received 29 votes, John Reynolds 16, Leonard White 6. All these candidates belonged to the slavery party. Two members

[1] See *ante*, 51.

of the Legislature, (Senator Stillman and myself,) voted for Mr. Lockwood, who was not a candidate. We could not consent to aid in the election of a friend of slavery. Yet there were at least twenty members, who were opposed to slavery, eighteen of whom voted for some friend of slavery for U. S. Senator. The old territorial parties ruled in this election.

Gov. Ford says—"When the Legislature assembled it was found that the Senate contained the requisite two-thirds majority; but in the House, by deciding a contested election in favor of one of the candidates, the slave party would have a majority of one more than two-thirds; and by deciding in favor of the other, they would lack one of having that majority."

This is not exactly correct. Senator Grammar took his seat on the 7th February, 1823; until which time the Senate did not contain two-thirds in favor of the Convention. In the House, after turning out Mr. Hansen and admitting Mr. Shaw, they had two-thirds, and no more.

The "disorderly procession" described by Governor Ford, took place the night before the passage of the Convention Resolution—not afterwards, as he states. A sufficient number of members had bound themselves to turn out the sitting member, and take in Mr. Shaw; and they considered their object as accomplished. To guard against accidents, they had made preparation to turn out Mr. Emmitt, of White, and to admit in his stead a Mr. Craw.

The Convention Resolution was offered in the House on the 27th Jan. 1823, and although Mr. Hansen then voted for it, it was defeated for that time for want of the requisite two-thirds. At this time Mr. McFatridge of Johnson, and Mr. Rattan of Greene, voted against the resolution. At the next trial, on the 11th Feb., it was again defeated, Mr. Hansen voting against it, and Messrs. McFatridge and Rattan for it. It was understood that the member from Greene had been brought over by "instructions," and that the member from Johnson changed his vote in pursuance of a "compromise," by which it was stipulated that the seat of justice of that county should be removed. The resolution was passed by his vote; but the other part of the compromise was not fulfilled.

He bitterly repented his course, declared that he was "bursted," and urged me to write against the Convention.

A few words in explanation of the course pursued respectively by Messrs. Hansen and Shaw.

There was no slave party in Pike county, but the voters were divided almost equally between the Hansen party and the Shaw party. Each of these parties had local objects to accomplish. For this purpose, the party of Mr. Hansen desired him to retain his seat, and his influence with the majority of the House. The Shaw party, believing that the Convention resolution would certainly be passed by some means, and not realizing that there was any danger of the introduction of slavery, desired their leader to obtain the seat to which they believed he was entitled. Mr. Hansen voted for the Convention Resolution when he knew that his vote would not carry it, and thus retained his seat ten weeks. When he found that it would carry if he voted for it, he voted against it. He was then turned out, and Mr. Shaw admitted, by whose vote the resolution was passed. By these means Mr. Shaw occupied the seat one week, but failed in the accomplishment of most of the local objects which he had in view. Both Mr. Hansen and Mr. Shaw appear to have retained the confidence of their respective parties; for at the succeeding election they were rival candidates again; came out nearly equal; and had another contest before the House. The seat was again awarded to Mr. Hansen, and he held it during the session.

I have a vivid recollection of the scenes of that exciting period; but I have not trusted to memory alone in making these remarks. They are submitted for the sole purpose of "vindicating the truth of history."

G. CHURCHILL.

Troy, Madison County, Ill. May 2, 1851.

EDITORIAL BY WARREN, December 28, 1854

[*Free West*, December 28, 1854]

As we intimated last week, we republish in this number a letter from the Hon. George Churchill, which we received from him while editor of the Bureau Advocate. It was written by him

upon the occasion of the appearance of "Leaves from Governor Ford's History of Illinois," some three years in advance of its publication. Mr. C. was a member of the Legislature referred to, and is doubtless in possession of the Journals for that period.—He was also a liberal subscriber to newspapers, and regularly filed them, as well as all such, and other documents that occasionally came to his hands. Full credit is therefore due to his statements of fact, which those who had the manuscript of the History in charge might have availed themselves of, and thereby so far render any "vindication of the truth of history" unnecessary.

A narrative of the affair between Messrs. Hansen and Shaw, in the Legislature, was published in the "Genius of Liberty," at Lowell, Lasalle county, in December, 1840; another, of the same events, was given by William H. Brown, Esq., in a lecture in this city, about the same time. It is presumed that Governor Ford read these statements on their publication; but that, on writing his book, he considered them of secondary importance to the great events of his own public life and times, and consequently, in regard to the former, did not advert to documents, or charge his memory with them.

It was not known to the Convention or slave party, at the commencement of the session, that they would need both Hansen and Shaw, to carry the two points—the re-election of Judge Thomas to the United States Senate, and the Convention question. Hansen was of their party, and they relied upon his fidelity and support in all the measures they might undertake.

In his account of the canvass of 1822, Governor Ford mentions two Chief Justices, (Joseph Phillips and Thomas Reynolds,) which may to readers not acquainted with the circumstances, need explanation.

Upon becoming a candidate for Governor in 1822, Mr. Phillips resigned his office of Chief Justice of the Supreme Court. He was unquestionably the most talented man of his party, and had the full confidence of the bar, which we take to be the best criterion of a good Judge. We never heard anything disreputable to his moral character, excepting the taking of a prominent part in the "noisy, disorderly, and tumultous procession" at Vandalia, as related by Governor Ford, and corrected as to time in the letter

of Mr. Churchill. After the defeat of the Convention Judge Phillips returned to Tennessee, whence he came, and was afterwards a member of the noted "white-washing committee" at Nashville.

Gov. Bond appointed Thomas Reynolds, the Clerk of the House of Representatives, to be Chief Justice in the place of Judge Phillips, which office he held until the reorganization of the Judiciary in 1824, as required by the Constitution. He was a talented man, but not over-nice and scrupulous in his moral deportment. At the new election of Judges, he was defeated, very much to the satisfaction of the friends of good order and moral reform. After practicing law a year or two, he pulled up stakes in Illinois, and moved to the upper part of Missouri, where he found a people more congenial to his taste and habits.—There he rose rapidly to preferment, First, a member of the Legislature; next, as Speaker of the House of Representatives; and lastly, as Governor of the State. While holding the latter office he committed suicide. Political troubles were said to be the cause of that desperate act.

Among the measures of Governor Coles which gave dissatisfaction to the anti-slavery party, was his disingenuous treatment of Morris Birkbeck, whom he had appointed Secretary of State during the recess. Mr. Birkbeck conferred honor upon the station, not the station upon him. Although an Englishman by birth, he was a republican in principle; of high endowments in literary acquirements, and of deep research in the sciences. He was an honorary member of most of the great literary and scientific associasions [*sic*] of England and France. During the visit of General Lafayette to this country, upon his arrival in St. Louis in 1824, he made earnest inquiries of a citizen of Illinois present, for Mr. Birkbeck—speaking of him as a personal friend, and of his desire to see him. Such a man was of too much worth, and of too high standing to be trifled with, even by the Governor of a State.

The letters of "Jonathan Freeman" had not been forgotten by the leaders of the Convention party, at the commencement of the session of 1824–5. Yet it was conceded on all sides, that had the nomination of Mr. Birkbeck been immediately sent to the Senate upon the organization of that body, it would have been

confirmed without any difficulty, if not without opposition. But it was delayed till near the close of the session, when parties were better organized and rival interests formed. His rejection then was almost a matter of course. A few years after, Mr. Birkbeck was drowned while attempting to cross a swollen creek, on horseback, near New Harmony.

H. W.

PECK[5] TO WARREN, March 24, 1855

[*Free West*, April 12, 1855]

H. WARREN, ESQ. *Dear Sir.*—While attending the March term of our Circuit Court in Belleville, Ill., I saw at the house of Gov. Reynolds, "THE FREE WEST," of December 21, 1854, with the article over the initials of your name. On reaching home this week, I found a copy of the same paper addressed to my name. Permit me in this public manner to return you my many thanks for this expression of old recollections, and to make some corrections in your statements, and some brief animadversions on the late Governor Ford's "History".

I am not writing a "HISTORY" of Illinois, nor do I regard myself under obligations to produce a book of that description.

In February, 1833, the writer gave two historical lectures, in the State House at Vandalia, in the presence of the members of the Legislature and a large company of gentlemen and ladies;—one was on the Indian History, and the other on the French

[5] Peck, John Mason, born in Litchfield, Connecticut, October 31, 1789; 1811, removed to Greene County, New York; entered on pastoral work in Baptist church, supporting himself by teaching; 1814, became pastor of a church at Amenia; 1817, sent west as missionary; 1817–1826, served as itinerant preacher and teacher; settled at Rock Spring, St. Clair County, Illinois; 1826, established the Rock Spring Seminary for the education of teachers and ministers; was instrumental in securing endowment for Shurtleff College, which developed from Rock Spring Seminary, and was founded at Upper Alton in 1835; served as trustee for many years; aided in establishing theological institution at Covington, Kentucky; 1843–1845, served as corresponding secretary and financial agent of the American Baptist Publication Society, with headquarters at Philadelphia; later served as pastor of churches in Missouri, Kentucky, and Illinois; wrote much for various periodicals; 1831, published a *Guide for Emigrants*; 1834, published a *Gazetteer of Illinois*; 1850, published *Annals of the West*; was an industrious collector o historical records; 1852, received the degree of D.D. from Harvard University; died at Rock Spring, March 15, 1858. Bateman and Selby, *Historical Encyclopedia of Illinois*, 1: 417; Babcock, *Memoir of John Mason Peck, D.D.*

History of this State. A committee was appointed, at the head of which, was the late Governor Ford, who reported a series of resolutions, calling on the writer to make a complete history of Illinois, and a "Committee of Correspondence" was appointed to aid in collecting materials.

All the promises the writer made was to do his best *to collect materials* for such a work; leaving it to Providence and future contingenc[i]es whether he would write out and publish them. In gathering materials, the writer soon found he could compile a BOOK that might pass current as a HISTORY OF ILLINOIS; but like similar works, gotten up from second hand authorities, and in customary haste, it would be a mixture of truth and fiction, of facts and fables; like a large proportion of the "HISTORIES" already published. He knew it would be the labor of years to prepare an accurate and truthful history of Illinois.

Two resolutions introduced by gentlemen, at the meeting referred to, after consultation with the writer, express his *views* of the characteristics of *such* a History. I give them herewith.

"On motion of J. M. Hewitt, Esq.,

Resolved, That a complete history of Illinois should embrace the various stages of its progress, from its earliest discoveries to the present time; and the various relations of its inhabitants, political, military, commerical, moral, and religious.

On motion of Jesse B. Thomas, Esq.,

Resolved, That a history of Illinois should be complete in its parts, methodical in its arrangement, accurate and discriminating in all its details, perfectly impartial in its characteristics, and divested of all political, religious and local prepossessions.

Any book that does not possess these characteristics, does not deserve the grave title of *The History of Illinois*, or any other State.

In collecting materials, it was soon found necessary, to include in the collection the *early history of the Mississippi Valley*. This has been done. A large amount of newspaper files, public documents, pamphlets and other printed matter, amounting to several thousand volumes, unbound, was consumed in the fire that burnt the old building long known as Rockspring Seminary, on Nov. 18, 1852. But the most valuable things, for such a history were

preserved in the dwelling house of the writer. He has felt easy, and disposed to approve the labors of others in the same field. No writer has been in his way, or retarded his progress. The public have been amused, instructed and gratified in reading both Brown's and Ford's Histories of Illinois. The first is a conglommeration [*sic*] of facts, moral suggestions, speculations, and the notions of the writer. It contains an irregular series of historical notes and sketches of various European and American affairs, in which Illinois has a share. So many important events were left out, and so many doubtful things put in, and so many mistakes were made about occurrences before the author knew the country, that the work is of little worth even as a source of reference.

Ford's History, with all its mistakes, is far superior to the one by Brown. But as you justly remark, he wrote the book to defend his own administration, and it is to be regretted that he did not confine himself to his "*Own Times*". He would have done himself and his friends, and even his opponents more justice. The writer ever regarded Governor Ford in a friendly aspect, heard him read portions of his work in manuscript, and had his friendly correspondence during the term of his administration as Governor.

The "*Pioneer History of Illinois*", by Gov. Reynolds, published in Belleville, 1852, you have not noticed. Have you ever seen it?

It purports to be a history of the discovery of the country from 1673, to the formation of the State government in 1818. It commences with the aborigines, takes in the French period, then the British period from 1765 to 1778, when the country was taken by Gen. Clark, annexed to Virginia; and in 1784, ceded to the continental Congress. For much of this portion of the history, the Governor acknowledges himself indebted to the "*Annals of the West*," which the writer revised and greatly enlarged, for Mr. Albach the proprietor and publisher, in 1850. In that work is a sufficiency of original matter to constitute the Annals of Missouri and Illinois, with copious references to authorities.

From 1804, Governor Reynolds relies much on his memory and that of the old inhabitants of this and neighboring counties. The writer, by request of the author, prepared a chapter of

sixteen pages, headed, "*The Religions and Morals of Illinois, prior to 1818.*"

The particular value of this work as a book of reference, consists in the sketches of families and individuals, and a vast multitude of incidents and anecdotes connected with their lives and pursuits. There are mistakes of course, for who can give a perfect and accurate history of several hundred persons, the most of whom with their personal acquaintances have long since passed away. The book is without an index, and contents to the chapters;—a most serious defect as a work of reference, which the author now regrets.—Fifteen hundred copies were printed by a "jour," on a Ramage press and an old fount of type, in the Governor's law office in Belleville; the author supposing none but the old settlers, and plain illiterate people would read it. It was set in type, fast as the author could scratch off the sheets, without any clerical corrections, and the proofs badly read. And yet, with all these defects, this "Pioneer History" is a unique and valuable book, and will be sought after by the future historian, as a most valuable text book. Last year the Governor wrote and published a little 12 mo. volume of 264 pp. entitled "*Sketches of the Country on the Northern Route from Belleville, Ill., to the city of New York, and back by the Ohio Valley, together with a glance at the Crystal Palace.*" The tour was made in 1853, and the "Sketches" furnish much valuable information and a mass of statistical facts pertaining to the commercial and other business in the cities and towns along the route.

Gov. Reynolds is now employed on a work that will exceed in size, "Ford's History of Illinois,"—entitled "My Own Times". I have read portions of this work, and hestitate not to predict there will be disappointment on the part of those who are disposed to smile at the appearance of an auto-biography from the "Old Ranger;" and I am disposed to leave the "yankees" to "guess," and the "natives" to "reckon," in what way they will be disappointed.

Thus you see, Mr. "Associate Editor," I have corrected your errors about the persons you name in St. Clair county, "each writing a history of Illinois".

I will now tell you what I am doing. As an itinerant preacher

or even a local one, I am "used up." I can neither endure the fatigue and exposure of traveling on the range, or performing pastoral services. Providence has left me with the ability to perform but one branch of business. I can use the pen with more facility and less fatigue than most men at my age. Hence I am shut up to one pursuit; writing for periodicals, and making books. A printed circular, that accompanies this communication, will inform you of my plan of operations; the issue of which depends on that merciful Providence who guards our health and prolongs the thread of life. My principal work in anticipation, is a large volume to be called "THE MORAL PROGRESS OF THE MISSISSIPPI VALLEY," of which I will give the following extracts from a printed "Circular."

"Such a work, after much condensation, and using statistical tables, can be comprised in an octavo volume of about eight or nine hundred pages. The general plan will be a combination of annals, and continuous history of periods. The compiler will aim to give, from authentic documents and the testimony of living witnesses, a concise account of the principal facts concerning the rise, progress, and present condition of each Christian denomination, from the earliest settlement to the present time—the commencement and progress of Sabbath School and Bible Class Instruction—Tract distribution—efforts of Bible Societies—the distribution of religious books by itinerant preachers, and latterly by the employment of colporteurs—the labors of missionaries, and the operations of the denominational missionary societies of the Atlantic States in this Valley; with the operations and effects of other benevolent and philanthropic societies that have aided in the moral progress of the inhabitants. EDUCATION, and its progressive effects by common schools, public schools in cities, academies, seminaries and colleges will be reviewed.

The PRESS, with its various influences and bearings, will be given.

LAWS in the several States for the conservation of morals and good order, with the influence of our political institutions on the morals of the people, will be noticed.

BIOGRAPHICAL SKETCHES of ministers of the gospel, jurists, legislators, and other laymen, who in public or private life have

aided in the advancement of morals and religion in this Valley, will be interspersed through the work.

It is not the business of the historian to hold controversy, or presume to adjudge disputes between the religious sects, but to give the facts as accurately as possible, and leave the reader to deduce his own inferences, and do his own moralizing. The author proposes to allow a wide margin for diversities of opinion on disputed points of faith and practice; but it will be his province to judge of the legitimate tendencies of customs, institutions, and social organizations, whether as a whole they have been beneficial or injurious to the moral progress of the population of this Valley.

While collecting further materials for the book described in this circular, he will finish and have published several smaller books, chiefly of a biographical character, but specially intended to illustrate the manners, usages, and incidents of frontier life."

This communication is already protracted to sufficient length for the columns of a newspaper. But there are facts within the writer's personal knowledge, connected with the anti-slavery contest in 1823–'24 in Illinois, and especially pertaining to Governor Coles, that may as well go before the public, and will be the topics of another article.

Respectfully yours, J. M. PECK.

Rock Spring, Ill., March 24th, 1855

PECK TO WARREN, March 26, 1855

[*Free West*, April 26, 1855]

H. WARREN, ESQ. *Dear Sir:*—The position of Governor Coles and the Editor of the Edwardsville Spectator, in relation to each other, politically and personally, had the tendency to cause each to mistake and prejudge the other, during the period of the political excitement of 1823–24. Both were the unflinching opponents of the Convention and Slave-introducing scheme. Each in his sphere of action performed valiant service in the cause of freedom. The writer at that time was honored with the personal friendship of both.

Governor Edwards, then a Senator in Congress, and Governor Coles, then Chief Magistrate of Illinois, occupied positions some-

what adverse in national politics. Both were personal friends with the writer, who occupied a position somewhat distant from the political agitations of Washington city. The late Governor Ford was not in active life, and for part of the time was not in the State during the period of the Convention Question, and the rest of the period he resided in Monroe county. Doubtless he wrote from impressions that floated through his mind, from what he heard others say, but he has left in his book a tissue of mistakes.

Governor Edwards, in the most frank and open manner, at all times in conversation, and by strong and well written articles in the papers, opposed the Slavery project. So did the late Daniel P. Cook, our representative in Congress.

Governor Coles was then, and is to this day, an opponent of Slavery, and especially of every attempt to extend it into free territory. I have enjoyed his friendship, and had the honor of an intimate acquaintance with him since the commencement of the anti-slavery contest in 1823. He has furnished me the leading incidents of his life, including his earliest convictions of the wrong of slave-holding, and all the circumstances attendant on the emancipation of his slaves.

At the request of the writer, after long and repeated interviews, Governor Coles sent him a communication, intended to be used at his discretion in the "MORAL PROGRESS," etc., already referred to. In relation to the attempt to introduce slavery into Illinois during his administration, Mr. Coles uses this language:

"I often recur to that time as the most interesting period of my life; and the longer I live, the more I approve and rejoice at our successful labors in preventing the monstrous efforts then made to make Illinois a slave-holding state. Or, in the cant phrase of the present day, of our 'preventing the extention of the area of freedom,' by preventing the extention of slavery over Illinois;—an absurd and outrageous perversion of language, as well as of principle, and adding absurdity to the glaring and revolting inconsistencies of poor, frail human nature, in tolerating and justifying the existence and perpetuity of slavery in this country."

Edward Coles was born in Albemarle county, Va., Dec. 15, 1786. His father was a rich planter, and owned several plantations, with a large number of slaves. But having ten children to

divide his estate among, the property to each child was not great. He received his education at William and Mary College, under the Presidency of Bishop Madison. He writes in the letter I have already quoted (Jan. 7, 1847, and we heard him narrate the particulars before this date.)

"Before I finished my education, I became convinced that man could not rightfully have a property in his fellow man; and not being able to reconcile slavery as it existed in Virginia, with my feelings and principles, I determined to free my slaves, and leave the State."

His father died a year after he left college, and he inherited a farm and about twenty slaves, when he made his intention known to the family and offered his plantation for sale. But the embarrassments of the country prevented a sale for several years, during which his slaves remained there, increased in number, and were made comfortable. In the mean time, Mr. Coles received the appointment of private Secretary, and resided in the family of President Madison, nearly six years. He was then sent on special public business, as bearer of despatches to Russia, and made the tour of the continent. On his return, accompanied by Charles, one of his servants, he made a tour on horseback to St. Louis and Illinois, explored the country and determined to bring his slaves to this State for freedom. In March, 1819, he removed to this State with wagons and horses to Brownsville, and there he procured three flatboats, and with his servants and chattels, descended the Ohio to New Albany. There were then, as now, officious intermed[d]lers along the right bank of the Ohio, who made efforts to persuade the darkies to elope to a free country. They understood their place of destination to be St. Louis, and so they told inquirers. —Charles had been there and to Illinois, and he was enthusiastic in praise of the country, as a very paradise for the darkies. No intimations of freedom had been given them.—Their master was an experimental philosopher, and desired to witness their behavior at the moment of learning their freedom. They were encamped above the falls, and descended the Shute just after daylight. The instant the boats, which were lashed together, were in smooth water near the Indiana shore, all the servants, young and old, were ordered on deck to hear "the last words and dying speech"

of a slaveholder! He reminded them of their common birthplace on the same plantation, that they had been raised together, that they had recognized him as their master, and had given abundant proofs of their attachment and obedience to him. He told them the country they saw on the left hand side of the river was Kentucky, where the colored people were slaves as in old Virginia; but on the right hand was Indiana, where there were no slaves, but all were free. He pointed out the town of New Albany towards which they were floating and said, "there I shall leave the boats and take the wagons and horses across by land to Illinois, where the colored people are free. *From this moment you are all free. You may go with me, or you may stay here.*" He watched their countenances and behavior with intense interest.—It was just after the sun threw his golden beams over the landscape. For a minute, not a word was spoken. The expression was that of overwhelming astonishment, until one of the older ones burst out in a passionate exclamation, "No Massa, taint so," and choked up with sobs and tears. "No—no—no—" responded on every side, from affectionate hearts. The older ones were religious and belonged to the Methodist society. One of the men, somewhat advanced in life, spoke as if on behalf of the rest, and remonstrated against the whole business; that their young master, as they called him, could not labor, and they were necessary to his support, and would go with him wherever he chose. I might give page after page of details, but it will suffice to say, that they all landed in New Albany, the boats were sold for old lumber, and the caravan moved across the country by Vincennes. A part of the servants were located in Edwardsville, and a part at St. Louis, *according to their own choice.* I will give here the language of Gov. Coles in the written document already quoted, as an answer to all surmisings on the subject.

Writing about the collection of his money for his plantation in March, 1819, he says, "I then took at my expense all my negroes to Illinois and St. Louis and emancipated them, except the old women, who being incapable of supporting themselves, I retained as slaves, and supported them during their lives. *As a reward for past services, and a stimulus to future exertion, I gave to three families emancipated, a quarter section (160 acres) of land to EACH.*

A more full account of my negroes was given by me in a letter in June, 1822, and published in that or the next month in the Illinois Newspaper."[8]

I have just examined the Edwardsville Spectator, and find in the number of July 6th, 1822, this letter, with full explanations, of a man, his wife and five children; in St. Louis, all of whom became free, by a special arrangement, made in Virginia, in August, 1825.—The letter was first published in the Illinois Intelligencer, and copied into the Spectator. The letter contains the same statement about the gift of a quarter section of land to each of the three families that settled in Illinois. They became Baptists at a subsequent period, and with John Livingston, Samuel Vincent, and several others, became the nucleus of the colored baptist churches in this state. Robert Crawford (with his wife, and one of these families, has been an ordained preacher in the Baptist connection, for about twenty-five years. He lives in Fayette county, where he has a large farm, and is "well to do" in this world.

Governor Coles was persecuted and reviled, both while in and out of office, by a class of men whose moral and political characters would have disqualified them for blacking his boots. But they are gone!—with thousands of others who destroyed themselves by whiskey and rowdyism, while he whom they reviled and despised, is the possessor of large wealth, and at the head of a most interesting family in Philadelphia, beloved and respected by a large circle of friends. The writer knows him intimately, and never fails to enjoy his hospitality, when in that city.

Gov. Coles performed a part in the anti-slavery contest in 1824, known to but few. There are a series of facts known to the writer in that contest, never yet made public, and which will require an additional article.

J. M. Peck,

Rock Spring, Ill. March 26.

Peck to Warren, March 27, 1855

[*Free West*, May 3, 1855]

To H. Warren, Esq.—In this article, it will be the aim of the

[8] See *ante*, 261-263.

writer to exhibit historical facts, not published in any history of the State, and known at the time to but few.

1. There was an *outside influence* at work from the first, even before the question was opened in Illinois. A still and quiet effort was made by leading politicians in slave-holding States, to bring about a revolution on slavery in the north-western States, especially in Illinois and Indiana, and ultimately it was thought in Ohio.

The motive for such a movement was found in the efforts of the north to suppress slavery in Missouri. The writer has long regarded the introduction of the "Missouri Question" into Congress, as one of the most unfortunate and misguided movements, for the cause of freedom and negro emancipation, in the history of our country. Louisiana, including Missouri, was a slaveholding country from its earliest settlement. Slavery was established there by the positive laws of the Crown of France, in the early part of the 18th century. The terrific convulsion in an effort of Congress to limit and control slavery, where it had existed for more than a century by the law of the country, resulted in placing certain leading politicians in the slave-holding States in an aggressive position towards such free States as were deemed susceptible in a change of policy. The writer derived his information from three sources of undoubted authority, and with others, made use of the facts to arouse the jealousy of the people to resist this encroachment on their rights from abroad. He, with others, then took and maintained the position, that the people of other States had no business with the question of slavery in Illinois; that it was a subject that belonged to the voters in this State, and to them alone to settle.—*He remains of the same opinion still, and hence has been opposed to all interference of the citizens of free States with slavery in other States.*

2. Soon as the news of the passage of the Convention resolution reached St. Clair county, an individual well known to the writer, promptly visited a number of gentlemen in the county known to be opposed to slavery; a preliminary meeting was called, the outlines of a plan of operations was proposed, and a committee was appointed to draft a constitution, and call a general meeting.—A much larger meeting was held in Belleville, March 22nd, 1823,

a constitution adopted, and the "*St. Clair Society for the prevention of slavery in the State of Illinois*," was duly organized, and the managers instructed to prepare and publish an address to the people.

You may find the Constitution and Address in the files of the Edwardsville Spectator of April 12th. Though he declined office in the society, the Constitution and Address, were both written by the writer. Among the curiosities of the time was the presence in this meeting of *thirty* preachers of the gospel, methodists and baptists; several coming from adjoining counties. John Messinger, Esq. was President, and Dr. Charles Woodworth, Cor. Secretary. Rev. Samuel Mitchell (Methodist, who is still living in Missouri, at the very advanced age of 96,) was one of the managers, and chairman of the committee. In the address was a call was made [*sic*] on the opponents of the introduction of Slavery in Illinois to form similar societies in other counties. In less than six months, *fourteen* societies had been organized in as many counties, and a train of measures adopted, that produced effect in every county and precinct through the inhabited portion of the State. Belleville was the seat of operations. Doct. Charles Woodworth, (who died of the cholera in the American Bottom, in 1851) was the medium of correspondence. Each society had its confident[i]al correspondents in each precinct, and every succeeding month, accurate knowledge was obtained at the office in Belleville, of the state and progress of the question. An all-pervading influence was felt in every settlement. The individual heretofore alluded to, had occasion to travel into nearly every county in the State during the pendency of the question. And without being known as a partisam, [*sic*] he could easily find out who could be depended upon for correspondents. And it is a singular fact that not an instance ever come to the knowledge of the committee, of any one betraying his trust. Another principle was sacredly regarded by the managers; to use no unfair means, and to avoid all exaggeration and all misrepresentations. *Fiat Justitia ruat Caelum*, was their practical motto. The Anti-Convention party had the whole State under their control, and the question virtually decided, before their opponents got up a public organization at Vandalia.

3. Not only did the opponents of slavery nobly contribute

$1,000 in state paper from their perquisites, as members of the legislature, but other gentlemen contributed liberally, and Governor Coles, *gave, privately and cheerfully, his salary of $1,000 per annum, for the period of four years.* This fact was published in the "*Annals of the West*," in 1850. It is affirmed on the testimony of the writer, who has known the fact for many years.

Surely you recollect of boxes of pamphlets, or tracts being sent to different parts of the State during the contest? These documents were ably written and proved effective missiles in the war. You may recollect there was no small curiosity, about where they came from, and who paid the publisher?—Our opponents were put to their wits end to find out the secret. For a long time it was confined to the breast of an individual in this State, and two or three benevolent gentlemen who supervised the printing and sent off the packages. You know now the fountain from whence issued these little rills.

4. Simultaneous with the movement in St. Clair county, the office of Secretary of State became vacant by the resignation of Judge Lockwood. The writer was in Edwardsville, and had stopped for a short time at the house of Mr. Hopkins, intending to reach home the same night. He received a private note from Governor Coles, requesting him to call at his room at the house of James Mason, on special and private business, without fail. On arriving at Mr. Mason's, the Governor urged the writer to tarry, as he had important business on hand, and desired to consult the writer alone. It was the appointment of *Secretary of State.* He must be sufficiently learned in the law, to discharge the duties of the office with ability. He must be an anti-convention man in position and principle; and as a matter then strictly confidential, he must be able on a certain contingency to conduct the editorial department of a newspaper.—Gov. C. then made known to the writer the project of purchasing, through a friendly agency, an interest in the Intelligencer at Vandalia, a paper that by an outrage on the part of the majority of the legislature, had been taken from the control of Wm. H. Brown, Esq., and made the leading organ of the convention party.[7]

[7]The legislature, by voting the public printing to "Blackwell and Berry," forced Brown to give up his interest in the *Illinois Intelligencer.* See *post*, 358-359; Brown, *Slavery in Illinois*, 25-26; *Edwardsville Spectator*, February 22, 1823.

Reflecting on the subject in all its bearings, the writer saw in the Governor's plan a bold and successful stroke. Whatever might have been the encouragement, when the Edwardsville Spectator was our single battery, to capture and turn the Intelligencer against the enemy, would ensure his defeat. *David Blackwell*, Esq., of Belleville, was the only man in the State that would answer all the purposes, within our knowledge, and we suggested him. The Governor sprang to his feet, and exclaimed "He is the very man; why did I not think of him." Next morning the writer was on his way soon as day-light appeared, and after obtaining a late breakfast at a certain log cabin at Rock Spring, was closeted in the office of David Blackwell, Esq., in Belleville, on a secret mission of state concern.

Mr. Blackwell had not voted for Governor Coles, had no personal acquaintance with him, and never dreamed of an office from that quarter. Of course, he had to be informed confidentially, of the Newspaper project.—Like other lawyers in that moneyless era, he was in straightened circumstances, and the Secretaryship was a real God-send to supply the wants of a young family. The question being settled on his part, it devolved on the writer to communicate with the Governor, who had promised to issue the commission the moment he had the report of our mission. Well might you say, (Free West, Dec. 21, '54,) "David Blackwell, a lawyer of Belleville, and a brother of the former proprietor, *by some means, of which, we are not advised, got possession and control of the Intelligencer at Vandalia*, &c. For many months, the project was known only to three persons, of which the writer was one. It was not for nearly twelve months, that it was consummated. You say (from memory, doubtless) "in the month of June, six weeks before the election." It was the first of May, the announcement was made by a hand-bill, while delegates from the Convention party were assembled at the seat of government, to adopt vigorous measures to carry out the election. A bomb-shell falling from the sky and exploding in a camp, where no enemy was thought to be near, could not have produced greater consternation! Turning the guns, of that battery into the thickest of their ranks was fatal to the party.

The question being decided in August, the anti-convention

party disbanded, the county societies died, and in a very few months there was not a single prominent man (save in St. Clair county,) who would own he was in favor of introducing slavery within the State.

Respectfully yours, J. M. Peck,
Rock Spring, Ill. March 27th.

Replication by Warren, May 3, 1855

[*Free West*, May 3, 1855]

The last of the series of communications from the reverend and venerable John M. Peck, is inserted on the first page of this paper. It is hoped that the two preceding numbers have received a due share of the attention of the readers of the Free West, and that the same favor will be extended to the present article from his pen.

As these numbers are addressed to me, individually, and purport to have been written in consequence of my review of that chapter of Governor Ford's History of Illinois, in which I am personally identified, although I dislike to be egotistical, it will be more convenient to adopt the style of the first person singular in my replication.

As associate editor of the Western Citizen, as well as the Free West, in which the former is merged, I have several times had occasion to allude to the religious and political bearings of Mr. Peck, past and present, in which, with feelings of enthusiasm, I expressed admiration and approval of his early career. Our first meeting was at St. Louis, in 1818, where he appeared as a Missionary from an eastern Society for Illinois and Missouri. With an industry indefatigable, and an eloquence which riveted the attention of his hearers wherever he spoke, he soon acquired a widely extended influence for good in the several communities he visited. Col. Benton, the editor of a scurrilous newspaper, called the "St. Louis Enquirer," endeavored to curtail his usefulness by ridicule, but in vain.

At an early period of the pendency of the Convention question, Mr. Peck was engaged in the extreme southern portions of Illinois, in the distribution of Bibles, and the organization of Sunday

Schools. While in that service he had the address and skill to discover, and embody in appropriate action all the anti-slavery element of that region without rousing the suspicion of the slavery propagandists. Had that been done, there is no doubt he would have been mobbed and his life endangered. In a letter to a friend in Edwardsville, giving a cheering account of the progress and prospect of our cause in the parts visited by him, and advising that proper agents be sent to those sections of the State, he remarked, "I am intensely engaged in a more important mission."

But in the allusions to the course of Mr. Peck, above referred to, I took occasion to lament his sad dereliction, as he has ever since the termination of that contest occupied a position, which a certain religious denomination term, in regard to its recusant members who have gone back again to the world—"fallen from grace." He is even more obnoxious to the charge of delinquency, as he has gone over to the side of the oppressor, by placing himself in antagonism to the efforts of the friends of freedom to check and limit the Slave Power. Moreover, on the passage of the Fugitive Slave Law, he essayed in approval and support of that execrable enactment—a position which it seems to me impossible for a lover of his kind, or of human rights, to occupy. But he does not stand alone. He has gone with the multitude, I will not say for evil intentionally, though practically, as I am constrained to believe—and of the host who opposed the introduction of Slavery into the States at that time, I know of but three individuals besides myself, who have since taken an active part to stay its strides, and confine it to its own conceded bounds. These are Major Hunter, of Alton, Judge Snow, of Quincy, and the Rev. Thomas Lippincott, of Madison county. The event proves that the majority acted through fear, a dread of the entrance of the monster in their midst, and not from any principle of right or wrong in the matter.

Mr. Peck commences his second number by saying, "The position of Governor Coles and the Editor of the Edwardsville Spectator, in relation to each other, politically and personally, had the tendency to cause each to mistake and prejudge the other, during the period of political excitement of 1823–24." So far as I am myself concerned, I cannot subscribe to the accuracy of this statement; for I had all the opportunities of knowing Mr. Coles,

without mistake, as well and as thoroughly as one man could know another. The mistake and prejudging was all on his part. For, although a native of the Granite State, for a long time after our first acquaintance he mistook me for a Kentuckian, and for aught he knew to the contrary I was entitled to affix the initials "F.F.V." to my name. We boarded together at a hotel, and for several months lodged in the same room. During this time, as he was very communicative, I learned his inmost heart, morally, politically and socially. On the score of the first characteristic, I was not disposed to take any exception; but in regard to the two latter, my sense of propriety forbid me for a moment to receive or entertain him him as a leader. I found him to possess an inveterate and unconquerable prejudice against "Yankees," and his aversion to them could only be allayed by the hope or prospect of using them to the advancement of his purposes. In politics, "the South" was all in all to him. The Richmond Enquirer was his Bible, and Father Ritchie his oracle. Southern statesmen only, appeared to be in his view as having a right to the management and control of public affairs. He was exceedingly loquacious, and, although his conversations were generally interesting, (our couches being side by side) he more than once talked me to sleep. The subjects of his narratives were, his management of the etiquette of the President's House, while Private Secretary of Mr. Madison, and of the adventures of his European tour. The incidents of the latter were sometimes very amusing. They consisted of accounts of his dining and sporting with the Lords and Nobles, and of the great respect and attention paid to him, particularly while at London, Paris and St. Petersburgh; of his gallanting the Ladies of the Courts—and how they offered to learn him the "Twelve Positions."

The third number commences with an averment that there was an "outside influence" at work before the Convention question was opened in Illinois, and that the writer derived his information from three sources of undoubted authority. I, too, was cognizant of that fact, from as many reliable sources, as well as by anonymous letters from Kentucky and Missouri. But the wonder is, why Mr. Peck did not impart such important information to his confidential friend, Mr. Coles. The latter was wholly

unapprised of any such movement abroad, as it will be seen in the sequel. I will be as brief as possible in the detail of events.

John McLean was elected the first Representative to Congress from Illinois, to serve one session only, that of 1818–19, beating Daniel P. Cook, by a small majority. The bill authorizing the people of the Missouri Territory to elect Delegates to a Convention, for the purpose of forming a Constitution of State government, was reported at that session; and during its progress through the House of Representatives Mr. Tallmadge, of New York, moved the restriction of slavery clause, which, after debate, was carried, and the bill was passed and sent to the Senate. In that body the slavery restriction was struck out, and the bill so returned to the House of Representatives, the discussion on it was renewed. The House refusing to concur with the Senate in striking out the restriction, the bill fell for the session. Messrs. Edwards and Thomas, of the Senate, and Mr. McLean, of the House, comprising the Illinois delegation, voted against the restriction in every instance.

Another election was to be held the next August, 1819. Mr. McLean and Mr. Cook were again the candidates. In the Spring of that year I established the Edwardsville Spectator, and in the first number took strong anti-slavery ground, and in favour of the Missouri restriction. I was a stranger to both the candidates, as well as both the Senators. Mr. Cook had pledged himself to oppose the admission of Missouri without restriction, and of course I could not oppose him on political grounds. I soon discovered that there was no party in the State organized on any principle of government, but that two rival interests were pitted against each other, under the cognomen of "Edwards-men" and "Thomas-men." The evident design of Mr. Coles was, to put himself at the head of a third, and supersede both the others. I was told that Mr. Cook was a personal friend and partisan of Edwards, and that no reliance could be placed upon his anti slavery professions. A friend of Mr. Coles was anxious to obtain my consent to call a meeting to nominate a new candidate, naming a Judge Sprigg for that purpose. I consulted with a friend, George Churchill, Esq., known to me as having no personal predilections for either of the parties. He said such a movement would assure

the re-election of Mr. McLean, and that would be considered as an endorsement by the people of his pro-slavery Missouri vote. My course was then decided, and thence to the election did all I could to the advancement of Mr. Cook. The candidates were talented men. They stumped the State—Mr. McLean against the Missouri restriction, Mr. Cook in favor of it. The election was held, and the returns showed that Mr. Cook was chosen by a decisive majority. I continued to make the advocacy of the Missouri restriction the principle characteristic of the Spectator, till the final termination of the contest.

Mr. Cook took his seat in the House of Representatives the next December, 1819.—The Missouri bill was again reported, and the restrictive clause again incorporated with it. After debate, in which Mr. Cook took part, the bill passed the House, and was sent to the Senate—the same proceeding of striking out, and the returning of the bill from House to House, took place, as at the previous session.

The people of Maine, with the consent of Massachusetts, had held a Convention, and adopted a State Constitution. Application was made at this session for admission into the Union. The bill reported for that purpose was referred to the same committee which had the Missouri bill in charge, of which our Senator, Judge Thomas, was chairman. Instigated by his colleague, Governor Edwards, he tacked the two bills together, and so reported them to the Senate; and the two, so united, passed that body. Mr. Cook wrote me a letter, denouncing in the most indignant terms, this proceeding. I published this letter in the Spectator, omitting the signature. On the arrival of the paper at Washington, Governor Edwards resented the article, and the friendly personal intercourse between him and Mr. Cook was for a time interrupted.

It was during this winter that the "outside influence," mentioned by Mr. Peck, was matured for action. Through the medium of leaky vessels, both in Kentucky and Missouri, I was duly apprised of the project to make Illinois a slave State, and that the first move was to be, the bringing out of Elias Kent Kane, then Secretary of State, in opposition to Mr. Cook at the next election. I had not heard Mr. Kane's name mentioned in that connection by any person in Illinois, but I soon ascertained that

the whole scheme was known to Mr. Cook and his friends at Washington. And in a few weeks I was duly authorized to announce Mr. Kane as a candidate for Congress.

Soon after the adjournment of the session, Governor Edwards arrived at his residence in Edwardsville. As soon as it was proper to do so, I called upon him to pay my respects, and to ascertain how he stood as to the new aspect of the slavery question, as it was shortly to be precipitated upon us. From his rupture with Mr. Cook, and the fact that he held slaves in Kentucky and Missouri, I had some misgivings as to his future course, though I was well persuaded that under no circumstances would he support Mr. Kane. He received me cordially, and with his accustomed frankness entered into conversation on the leading topics of the times. He repeated the assurances he had given me before, that he was opposed to permitting the introduction of slavery into territory from which it had been excluded; that he opposed its incorporation in the constitution of this State, and contributed to its defeat, against a strong influence in its favor. With regard to Mr. Cook, he said, he was displeased with him for writing the letter before mentioned, because he supposed their personal relations were such, that each could differ on public matters without reproach or censure from the other. That seeing the new combinations for agitating the question of slavery in Illinois, and that the first blow was to be struck in an attempt to put down Mr. Cook, he had cast aside all hard feelings toward him, and would support his re-election.

I informed him of my intention to make an exposition of the plot in the next Spectator. He then said, that it had been intimated to him at Washington, that an attempt would be made to implicate him in the affair, and he had consequently written several letters, the answers to which he expected would not only exculpate him, but show that he had positively declined to have any participation in the matter, and had moreover denounced the whole scheme. That my intended exposition might deter his correspondents from answering his letters according to their tenor, or induce them to evade the application altogether. He therefore requested me to postpone the notice a week or two, to which I assented. I did not see him again till after the exposition was

published, he having left to attend to his affairs at Belleville. On the morning of the second publication day after the interview, I concluded to wait no longer, and set up the article in type, without first writing it, delaying the press for that purpose. In it I stated the substance of all the information I had received, of the machinations of the slavery propagandists abroad, in combination with traitors and recreants to freedom at home, to make Illinois a Slave State, with such remarks as the subject called forth. In the article I also stated that a political missionary, from Kentucky, was then in the State.

As soon as the paper containing the article arrived at Kaskaskia, Mr. Kane issued a furious handbill, charging Governor Edwards with having written the article, and denouncing him in opprobrious language—Within the same hour of the arrival of the handbill, meeting Governor Edwards for the first time after our interview before mentioned, he observed as he hurriedly passed me—"Stand your ground, Warren, and I will bear you out in it. I will answer Kane under my own signature." And he furnished an article for the next number of the Spectator, stating that, Mr. Kane having charged him with being the writer of certain editorial remarks, in that paper of a previous date, making developments of preparatory measures for agitating again the slavery question in Illinois, instigated by citizens of other States, he begged leave to assure the public, that he did not write the article referred to, nor a line of it, nor furnish the editor with any thought stated in it. He then said if Mr. Kane would call on him, he would exhibit to him conclusive evidence and references to show that every material allegation stated by me was true, and proceeded to recapitulate the facts at large.

The next day after this publication, Governor Edwards, received a letter signed by seven or eight gentlemen of Edwardsville, the most prominent of whom was Edward Coles, in which they expressed their astonishment at his endorsement of my exposition of the slavery plot, and averring their disbelief of any movement, begun or in contemplation, having for its object the introduction of slavery into this State. Governor E. wrote a reply on the instant, stipulating if their correspondence was to be published, to withdraw the present letter, and substitute another

more at large and then went on, filling out the sheet. Before despatching his reply, he sent it, with the gentlemen's letter, to my office, for my perusal. They did not request the publication of the correspondence. I was glad for Mr. Coles' sake that they did not, for he denied the existence of facts that I could prove by an abundance of witnesses that he very well knew did exist.

A Mr. Watkins, a half-brother of Henry Clay, deeming himself to be intended as the political missionary mentioned in my exposition, waylaid me with a bludgeon, and came very near taking my life. During my disabled condition, my friends instituted suits against him. Mr. Coles became his bail, assisted him in procuring counsel, and rendered him all the aid and comfort in his power. In a few weeks Mr. Coles received a letter of thanks from Mr. Clay, for helping his young brother in his difficulty with me.

Mr. Peck will now see the reason why I had no very ardent love for Governor Coles. Up to that time I had taken no part against him, nor crossed his path in any way. Mr. P. will also see, that if he had imparted to Mr. Coles the information he had received of the "Outside influence," he might have prevented his friend from placing himself in so awkward a predicament as to deny its existence, or all knowledge of it.

Finding that I cannot conclude these reminiscences without delaying the issue of the paper beyond the usual hour, I must postpone the remarks I have yet to make till next week, when I will give a statement of my course in relation to Mr. Coles as a candidate for Governor, and notice some of the incidents narrated by Mr. Peck in regard to him and the Convention Question.

H. WARREN.

REPLICATION BY WARREN, MAY 10, 1855

[*Free West*, May 10, 1855]

The Congressional election of 1820 was warmly contested by the parties. Mr. Cook received a larger majority over Mr. Kane, than he obtained against Mr. McLean at the previous election. The slavery propagandists, both in and out of the State, were extremely mortified at the result, as they had put up their best

man, with the expectation that his great talents and popularity would enable them to supersede the incumbent, who stood so much in their way.

The times were comparatively quiet for the next succeeding twelve or fifteen months. The Missouri Question absorbed all agitation on the subject of slavery, while other topics of public concern excited but little interest. The Legislature chosen at this election, enacted the first State Bank law, which instead of facilitating the business operations of the community, caused more embarrassment, and finally resulted in the loss of hundreds of thousands of dollars to the State. Mr. Coles, in the meantime, was announced as a candidate for the office of Governor, to succeed Governor Bond, he being the first in the field for the canvass of 1822. Judges Joseph Phillips and Thomas C. Browne, and General James B. Moore, were subsequently announced for the same office. Mr. Kane was not disposed to try his strength a second time with Mr. Cook, and he gave away to Mr. McLean, who appeared again as the opponent of Mr. C. in the Congressional canvass.

From the disingenuousness of Mr. Coles' conduct towards me, he could have no reason to believe he could receive the support of the Edwardsville Spectator, unless it was upon his assumed anti-slavery ground. I was an admirer of Judge Phillips, for his great talents and the urbanity of his manners. But he was avowedly pro-slavery, and the candidate of the party. General Moore was not prominent in the canvass, and finally received but some five hundred of the votes of his neighbors and old territorial friends. With Judge Browne I did not become acquainted until he made his appearance upon the rounds; but from the first, considering the position of the several candidates, I was convinced that the latter only could receive my support, consistently with self-respect, or from principle.

I did not think it necessary or advisable to show any serious opposition to Mr. Coles, and therefore adopted the burlesque, or what has since been known as the "Major Jack Downing" style and I succeeded in that kind of composition far beyond my expectation. A portion of my friends, who supported Mr. Coles, remonstrated with me against it; others liked the fun, and between

the two I followed my own inclination. I was afterwards informed by third persons, that Governor Edwards and Mr. Cook had been severally applied to, for the purpose of inducing them to use their supposed influence over me to dissuade me in my career with regard to Mr. Coles, but that both, without expressing any approbation of my course in that respect, declined to interfere. Mr. Cook, while absent, informed me by letter that he had fallen in with Mr. Coles on the way, and that the latter was very anxious to run with him. He repeated the same personally upon arriving at home, but he intimated nothing to me as to his wish or intention regarding the proposition. Mr. Cook was a small man, and I had no apprehension of his taking another, of the weight of Mr. Coles, upon his shoulders.

In the spring of 1822, four months before the election, Judge Pope came up to Edwardsville from Kaskaskia; and, calling upon me, he remarked with much earnestness, "If you do not want Phillips elected, you must let Coles alone." And he went on to demonstrate that such was the fact. This information alarmed me, and I held up. I had supposed that every vote I could take from Coles would go to Browne or Moore. But the Judge showed conclusively that the prospect of Phillips was rising rapidly, and that of Coles as fast declining. The friends of the latter were desponding, while those of the former were elated with new hopes.

All personal considerations aside, I preferred Coles to Phillips, and my chief concern now was, how properly to adjust the balance between them, so that the former should not kick the beam. I said nothing in his favor, but his friends seeing I had ceased to annoy him by attempts at irony and satire, took new courage, and rallied to his support.

Mr. Coles caused to be inserted in the Illinois Intelligencer, published at Vandalia, a letter from Mr. Jefferson to him, on the subject of slavery, in which he excused himself from undertaking to act against it, on account of his great age, but advised his correspondent to enter the councils of his country, and carry out his principles. I copied this letter into the Spectator, without request from any one, and without comment. Extracts from the same letter of Mr. Jefferson to Mr. Coles has [*sic*] since been published

in several anti-slavery books, containing extracts from the writings of anti-slavery authors. Soon after, another article appeared in the Vandalia paper, under the signature of Mr. Coles, giving an account of the emancipation of his slaves. This I copied into the Spectator, also without request or comment. I will here remark, that this letter of Mr. Coles was wholly eradicated from my memory, until brought again to recollection by Mr. Peck, in the second number of his communications. I mention this fact in extenuation of the doubt I expressed in the Free West of the 21st of last December, of Mr. Coles having settled his slaves on farms.

The first Monday in August came, and the election was held. It proved a pretty even race between the three highest candidates, Mr. Coles coming out a little ahead. Half gratified and half chagrined, I indulged in some editorial remarks on the result of the election; and, in reference to Mr. Coles, observed that whenever the President wished to get rid of a useless lackey, he could send him out to Illinois, and the people would make a Governor of him. This enabled my enemies to raise a prodigious excitement against me, by representing that I was rebelling against the decision of the people. But it did not last long.

Governor Coles did not so far fall out with me as to withdraw his subscription to my paper, until after his inauguration; he then did so, and to explain which, I must refer to two prior incidents.

1. Mr. Coles, in his narratives of events at the President's House, before mentioned, greatly magnified the importance of his office as Private Secretary, and seemed to think it second only too [*sic*] the Presidency itself. In allusions to him during the canvass, I had represented him, although not invidiously, as a sort of upper servant in the Presidential mansion.

2. A family resided near my office in Edwardsville, the mistress of which kept a little negro boy as waiter. Frequently during the day, the mistress would call out "Jo!" The boy, in the street or yard, as quick as lightning, would answer, "Coming Madam." The remarkable readiness of the boy in making his response, elicited the observation of the neighbors.

An account of the inauguration of the Governor was duly published in the Illinois Intelligencer, in which the editors used the terms, "His Excellency," His Excellency Governor Coles," etc.

The next week the Governor wrote a letter to the editors of the Intelligencer, requesting them in no case to say "His Excellency," in reference to him, for he considered the simple appellative, "Governor," a sufficient honor.

I copied this letter into the Spectator, and appended to it an editorial remark, as near as I can recollect, as follows:

We regret, exceedingly, that our new Governor should manifest so much fastidiousness in regard to the receiving of the honors of the station; and can account for it in no other way than by the supposition, that the phrase, "His Excellency," applied to himself, seems so very odd, in contrast with his former position in Mr. Madison's family. But time and practice will soon make it as familiar to his ear, as the response of "Coming Madam" was then to his tongue.

This touched the Governor in a tender place, and as soon as the return of the mail from Vandalia, a friend of his in Edwardsville called upon me, and paying up arrears, informed me that Governor C. wished to discontinue his subscription.

During this session the Convention resolution was passed by the Legislature, the extraordinary measures adopted to effect which have often been published, and with which the reader is familiar.

At the close of the session Governor Coles left for Vandalia for his 'home in Virginia,' without returning to Edwardsville, and was absent several months. The discussions on the Convention question, in the mean time, became exciting. The Hon. T. W. Smith established a paper at Edwardsville, called the "Illinois Republican," purposely to sustain the affirmative of that question, and to counteract the Spectator. In the course of the discussions it became my duty to defend some of the measures of Governor Coles, against the attacks of Mr. Smith. The latter, thereupon, seemed to be astonished at the "reconciliation," and said something about "Pilate and Herod." In reply I stated that I had not seen Governor Coles since the passage of the Convention resolution by the Legislature, nor held any correspondence with him; that he was not a subscriber to my paper; and that there was nothing in our relations to prevent our co-operation in any public measure in which we were both agreed.

The Governor returned from Virginia in June or July. Shortly after, his friend, the same who was employed the fall previous to withdraw his subscription, called upon me and renewed it.

Governor Coles visited Virginia again the next winter. On his return, in May or June, or soon after, "the boxes of pamphlets or tracts," mentioned by Mr. Peck, were found distributed all over the State, and as the election was to take place in about two months their appearance was most propitious, and showed that the Governor had not been idle during his absence. I had not the shadow of a doubt concerning their origin. One thing about them I knew to a certainty—they were NOT printed in Illinois. One of those pamphlets, it was clear to my mind, was written by Mr. Jefferson, and contained a conclusive argument against the policy of slavery propagandism.

Mr. Peck's version of the story of the emancipation, by Governor Coles, of his slaves, does not reflect so much credit upon that gentleman for philanthropy, as I supposed him entitled to. It seems, after all, that he did not let the old women go free, but that they were compelled to die under the reflection that they were "chattels".—The "last words and dying speech of a slave-holder," on board the flat boats near New Albany, were therefore premature. It appears, also, that he sent a part of his negroes to St. Louis, with only a prospective freedom. His brother, Col. Isaac A. Coles, of Virginia, who was the Private Secretary of Mr. Jefferson during his Presidency, (and who, by the way, is the most accomplished gentleman, in manners and conversation, I ever met,) had a plantation with slaves, near St. Charles, Missouri. He visited this establishment three or four times a year, and always stopped a few days with his brother in Edwardsville. As they were originally of one family in Virginia, it is not improbable that the negroes sent by Governor Coles to St. Louis, were re-annexed to those on the St. Charles plantation.

Near the close of Mr. Peck's second article, he refers to the moral and political character of Governor Coles' revilers and persecutors, and says "they are gone!—with thousands of others who destroyed themselves by whiskey and rowdyism." He does not name them, probably out of tender regard to the feelings of their surviving friends and families. On reading this paragraph,

I was struck with the remarkable fact—singular, considering our relations with each other—that the revilers and persecutors of Governor Coles, were also my enemies; and the gloom of melancholy passes over me when I think of their end. One of them, as a compensation for service in a bad cause, having obtained a high judicial office, could not enjoy it in peace, but after occupying it for years in turmoil, was compelled to resign, and retire to private life. Another was appointed by President Jackson to a foreign mission, and died on his way, among strangers, in a foreign land. Another, whose "rowdyism" was not endurable, even in Illinois, after occupying the highest judicial station in this State, went to Missouri, became the Chief Magistrate of that Commonwealth, and there committed suicide while filling the Executive office. Another—but I will not proceed with the catalogue.

In the same paragraph Mr. Peck speaks of the present wealth of Governor Coles, in Philadelphia. In canvassing for the office of Governor of this State, he assumed the ground before the people, that he had made himself poor by emancipating his slaves. After making all he could in Illinois, and despairing of further preferment, he deemed it expedient to seek his fortune elsewhere. Another Illinois statesman followed or set the same example. But while Judge Douglas went to North Carolina, and by an ingenious speculation, acquired hundreds of blackies, the Ex-Governor, it is said, if not with more judgement, certainly with better taste, went to Philadelphia, and by a like operation, obtained possession of thousands on thousands of "yellow boys."

But it is time for me to close these reminiscences, having already, doubtless, gone beyond the patience of the reader, though I have not said half to which my inclination would lead. I will observe that I entertain no animosity towards Governor Coles; on the contrary, I wish him all the happiness the world is capable of affording. Notwithstanding all our differences during an acquaintance of ten or twelve years, the first six of which were as neighbors, he never met me nor passed me without giving his hand, which shows him not to be vindictive.

For Mr. Peck, I entertain a grateful recollection, for personal favors, and his early course in favor of liberty and right. But he ought to know and consider, that his flings at abolitionists show

him to be behind the times as a reformer. He even confesses repudiation of former principles, in the change of his views, from the side of freedom to slavery, on the Missouri question.

H. WARREN.

PECK TO EDITORS OF FREE WEST, May 25, 1855

[*Free West*, June 21, 1855]

MESSRS. EDITORS:—Supposing from the intimation from H. Warren, Esq., given in a private letter of the 3rd of April, that he is now absent from Chicago, I send the following extract of a letter from HON. EDWARD COLES, formerly Governor of Illinois, in reference to the mistakes made in Mr. Warren's article of December 21st, 1854. As a personal friend to the Ex-Governor, I deem it my duty to place this unexpected controversy in its true light before the people of Illinois. The Governor's letter to me dated Philadelphia, April 30th, and relates to the editorial in the "Free West," of December 21st. I think it is a sufficient answer to Mr. Warren's "Reminiscences" in his responses to my communications, already published in the "Free West" of May 3rd and 10th—indeed I was quite surprised at the reasons of his antipathy and personal hostility to Governor C. at the period of the anti-slavery contest of 1823–'24, and I regret with his old friends in this part of the State, that these feelings remain and appear to become intense as time advances. The existence of this personal hostility was a matter of regret to his friends at the time, but it was thought at that period, none knew the cause, and it has remained a secret until his remininscences of May 3rd, in commenting on my communications. The cause of this hostility was four-fold.

1. The Virginian had inveterate prejudices against "Yankees."

2. He was loquacious, and talked about President Madison and his tour in Europe.

3. In politics, the south was all to him; the Richmond Enquirer was his oracle; (that is, he was a Jeffersonian Democrat, though decidedly anti-slavery from his youth.)

4. He gave bail for Mr. Watkins who had inflicted a casti-

gation on the Editor of the Spectator, for an offensive editorial; and the late Henry Clay, a relative [of the] offender, wrote Mr. Coles a letter of thanks for his kindness.

All I will say in relation to the "inveterate prejudices" Mr. W. retains against Gov. C., after more than thirty years have passed, is, they are regretted by his old friends in Southern Illinois, and by none more than the writer.

The insinuations and charges against me as having changed my position on the subject of Slavery, demand no other reply than that a man must be peculiarly stiff-necked, who can learn nothing in the period of an ordinary life time;—and that the change in *the main position* on this question is in the former Editor of the Spectator, and not in his old friends this way. He then, as the writer does now, maintained that the people of South Carolina, Virginia, Kentucky, or any other slave-holding State, had no political right to interfere, directly or indirectly, with the question in Illinois. That the Editor occupied this position in the Edwardsville Spectator, there is abundant proof in the columns of that paper, during the contest; and he tacitly admits it in his late "Reminiscences." I occupy the same position on this subject still, whereas the present abolition party of the north, and probably the three gentlemen, the only remaining adherents of the associate Editor that fought the battle in 1824, have with him changed position.

There are now but a few of the anti-slavery men of that period still living, and I am not aware of any others than the three mentioned, who differ with the writer on that subject, or, any other concerning slavery, that grows out of the legal and judicial construction of the Constitution of the United States. I will only add, I shall have no occasion for further controversy on this topic with the "Associate Editor," of the FREE WEST.

J. M. PECK,

Rock Spring, Ill. May 25, 1855.

Copy of Gov. Coles' Letter to J. M. Peck, dated Philadelphia, April 30th, 1855.

"MY DEAR FRIEND:—Your kind letter of the 29th ult., and the Chicago Newspaper (Free West) dated the 21st December last, were duly received.

"If the error alluded to by Mr. Warren, in Ford's History of Illinois, would, as he supposed, excite me, how much more so are his own errors calculated to do it. Mr. Ford's error was one that a rational man would be apt to fall into, who knew the public stations, and the part taken by Mr. Warren and myself; and who did not know the rabid feelings of his bosom. As co-laborers in [a] great political contest, which absorbed all others, and enlisted our best feelings, it was natural to suppose that private and personal bickerings would have been merged and supplanted by fraternal feelings. Not so, however, with Mr. Warren, who, without cause, (For I know of nothing I ever did to injure him, or even hurt his feelings) became inimical to me, that mutual labors, and common success in a noble cause, which like charity, ought to have covered a multitude of sins,—and as it now appears, no length of time, or ripeness of age can abate his hostility. Such an instance of the frailty of human nature is truly melancholy and much better calculated to make me mourn, than Mr. Ford's little mistake was to make me "laugh or swear," as Mr. Warren supposed it would.

"No one who has a knowledge of the subject, can be otherwise than amazed at the mistakes Mr. Warren makes in attempting to correct those of Mr. Ford. So extraordinary are they that the most charitable way of accounting for them is to suppose the acidity of his heart had corroded his brain and impaired his memory. Mr. Warren in extenuation of some of Mr. Ford's errors, says they related to things which occured before he was in active life. But no such excuse can be made for Mr. W., as the statements he makes, relate to facts and circumstances which occured in the little village in which he published a newspaper, and where he was an active citizen. Moreover they relate to things of which he professes to be personally and particularly acquainted, and were of a character, too to make impressions most easily effaced.

"The settling in and near a small village of a number of free negroes, and several of whom acted as domestics, and one (Robert Crawford, who you know) being an officiating clergyman; another (Thomas Cobb) having been killed by accidentally falling into the public well of the village, were circumstances to bring them to

notice, and retain them in recollection. Yet Mr. Warren seems to have no recollection that there were any men among them, nor recollects of there being more than one family, which he says consisted of a woman and five children—four daughters and one son;—and even this scanty remnant of memory is erroneous, for I freed no such family,—none consisting of four daughters and one son,—nor where there was not a man at its head, as can be seen by referring to the papers of emancipation on record in the Recorder's office in Edwardsville.

"The family I presume he alludes to, from his saying the woman cooked for the hired men at my farm, had two daughters and two sons. Perhaps I ought to add as a possible mode of explaining this error, that there were among my negroes two other young women, who went into service, and may have acted as Mr. Warren says in that capacity, but they were not sisters, nor daughters of the woman that cooked at my farm.

"The men mentioned by Mr. Warren as having been hired at my farm were emancipated by me; one of whom was the husband of the cook, after whose death she married another of my freed men, and lived for many years in Montgomery county, Illinois—I mention these and other similar facts to show that though Mr. Warren is so minute and particular in his details, he is not as accurate in his knowledge of the subject as he would lead one to believe, and might be inferred from his statements.

"As a further proof of it, the Recorder's office will also show that Mr. Warren is mistaken in stating that I executed deeds of emancipation to each person. The deeds were not so executed, but where there were families they were given to families. And here let me ask, is it not very curious that he should have taken the pains to examine the free papers to learn their dates, and by whom witnessed even, and yet not learn their form, and the number and character of the slaves emancipated? And is it not also a very extraordinary circumstance that he should have taken an interest and make publications about my freeing my slaves, and yet not have gone to the fountain head in the village in which he for years resided, for full and authentic information, as well about the deeds of emancipation, as of conveyance of land to my negroes; —which deeds he knew by law should be recorded? If he had

done so, he would at once have seen the number and character of the negroes I emancipated, who resided in and near Edwardsville; and however incredulous to believe it, the records would have convinced him that I had given to three of the men I emancipated, who resided in the county, one hundred and sixty acres of land each. And it would have given him very little more trouble, as he was in the habit of going to St. Louis, if he had looked into the Recorder's office there, and seen the free papers of the negroes of mine who settled in that city.

"I will notice another instance of the lapse of memory, and of unkind conduct on the part of Mr. Warren. There was published in 1822, (and you write me it was republished in the "Spectator," edited by Mr. Warren) a letter of mine giving many particulars about freeing my slaves, which were not then controverted by him, the truth or knowledge of which he now denies.

"When you consider he was then openly hostile, seeking every occasion to traduce and injure me; that the accuracy of my statements could be confronted and tested by living witnesses, and recollect that one third of a century has now passed off, and with it, nearly all who had knowledge of the subject; I removed at a distance, and out of the way of knowing of his attack;—living a retired and quiet life,—that he should make a publication attacking my motives and misrepresenting my conduct, and not send it to me,—is indeed conduct that I did not expect, even from Mr. Warren. He even insinuates, which never was, I believe done before, that the emancipation of my slaves was not designed, but was brought about by my ignorance in not knowing that by taking them to a free State they became free, and when I found they had become so, I made for effect, a vain display of freeing them [See Mr. Warren's editorial in the Free West of December 21st.] Now so far from there being any truth in this, and of my ignorance of the effect of bringing slaves and settling them in a free State, it was the mode I intended to take to free mine, and acted on it as the simplest and easiest mode, until I was informed by D. P. Cook, Esq., that a law had passed the preceding session of the Legislature, not then published, requiring every free negro to have written evidence of his freedom, and subjecting to fine persons who should hire those who had not such evidence of their freedom.

In consequence of this and the advice of Mr. Cook, I was induced to give my negroes free papers. And I will add a further consequence of not knowing and conforming to all the requisites of this unpromulgated law, was afterwards formed the basis of a suit (the only time I was ever sued,) and a prosecution with which I was persecuted for years."

P. S. [The Governor was prosecuted, under a law of the state that had not been made public, when he had recorded the deeds of the emancipation of his slaves, for not giving security for their good behavior and that they might not become a charge on the county; and the Judge of the lower court being a prejudiced enemy, imposed an onerous fine. It was reversed in the supreme court, after a long series of litigation and cost. The prosecution was regarded by all impartial persons as malicious, and the effect recoiled on his enemies.

J. M. P.

Replication by Warren, June 29, 1855

[*Free West*, July 5, 1855]

It is with extreme regret I perceive that Mr. Peck takes offense at the comments I felt myself bound to make upon his late series of communications in the Free West. They appear to have been "unexpected" to him; but from his knowledge of me, he had no good reason to hope I would pass the subject by in silence, though the topics of discussion had in them but little to interest the reader of the present day.

Upon the appearance of Governor Ford's History of Illinois, I found myself included in the catalogue of names who took a prominent part on the side of Freedom, in the great and desperate struggle waged by slavery propagandists to introduce their hateful institution into Illinois—a position I was proud of having occupied. But there were errors in that list on both sides, of those in favor and against the calling of a Convention to admit slavery. For instance, Governor Edwards was put down as among those in favor of the proposition, and Mr. Eddy, the editor of a paper at Shawneetown which favored the cause of the conventionists, as against it. The reverse was the fact. The organization of the

press, too, was erroneously stated and needed correction, which I made in a brief notice of the book. In that review, with a strict adherence to truth, it was impossible for me not to cross the track of Governor Coles; and the circumstance that a third of a century has elapsed since the events occurred, does not alter the facts of the case. As to antipathy and personal hostility, I have already stated in reply to Mr. Peck, that upon the announcement of Mr. Coles as a candidate for the office of Governor, at the election of 1822, I deemed it neither necessary nor expedient to show any serious opposition to him, but adopted the mode of touching him by attempts at good natured irony and satire—a manner of attack to which he was extremely obnoxious. As to such feelings towards him, if I ever indulged them, I entertain none of them now. Should he again visit this State, I would not hesitate to join in the tender to him of such public honors as would be due to a former Chief Magistrate, after an absence of more than twenty years. Even if his protégé, Mr. Watkins, who essayed to murder me, should come again to the State, and offer me his hand, I would not refuse to take it. The lapse of time in matters of history does not require me to suppress the truth, or to refrain from vindicating it, so far as the subject is familiar to me.

My failure to support Mr. Coles as a candidate for Governor, it is true, was a matter of regret to some of my anti-slavery friends; but they did not attach blame to me. They knew I could not support him with a due regard to self respect. Mr. Peck himself did not see fit to remonstrate with me in behalf of his friend.

The numerical statement by Mr. P., of the causes of my presumed opposition to Mr. Coles as a candidate, does not partake of the candor or sincerity which should ever characterize the averments of a disciple and minister of the meek and lowly JESUS. I supposed at the time I had his sympathy in the brutal attack made upon my life by Watkins; but by his terming it a "castigation," which according to Webster means "correction," it would seem that the act now meets his approval.

In my remarks in reply to Mr. Peck's articles in the Free West, it was my desire not to trespass too much upon the patience of its readers, on the subject personal to myself and others; and having given so much space to Governor Coles, I was induced to

forego what I wished to say in regard to most of the positions assumed in Mr. P.'s narrative. I was disposed to let his statements go for what they were worth, notwithstanding some of them indicated that his organ of memory was as defective as mine. He had the advantage of me, by having in his possession a complete file of the Edwardsville Spectator, lately presented to him by Governor Coles, as he has informed me in a private letter accompanying his communications. By this it appears that, notwithstanding "His Excellency," to punish me in regard to the "Coming Madam" affair, discontinued his subscription, and did not renew it until after six months had elapsed, he took good care to provide that his file should not be broken. I will here remark, that I lost my file of that paper in moving from Edwardsville in 1825, and that all I have ever said or written in reference to the events of those times, has proceeded wholly from memory, without print or scrip to refer to. The only file of the Spectator extant, that I was previously aware of, was in the the hands of the Hon. George Churchill, of Madison County, who designs it, upon his decease, as a legacy to the Illinois Antiquarian Society at Alton.

I was correct in stating the residence of the late Governor Ford during the pendency of the Convention question. Mr. Peck gives it a different location, wherein his memory is at fault. Having possession of the files, he was enabled to discover an error of a month and a half in my statement of the time at which Mr. David Blackwell got possession of the Vandalia newspaper establishment —making it three months instead of six weeks before the election. There is a discrepancy in his statement of the time of the conception and the accomplishment of that grand and mysterious project. In my statement of the affair, I said that I knew not the means by which the change was effected. Mr. Peck in his eagerness to enlighten me, mentions the agent, which I already knew, but not the means. I supposed that William H. Brown, Esq., now of Chicago, was in the establishment at the time; but in a momentary conversation with that gentleman, lately, he informed me that Robert Blackwell, the former partner of Mr. Berry, had retaken his place in the concern. In answer to my inquiry as to the time of these occurances, and how it was that the Legislature compelled him to withdraw from the establishment, as stated by Mr. Peck,

he said he could not bring his memory to bear as to dates, but all the Legislature ever did against him, was to rescind a contract for public printing. The "means," therefore, of ousting Mr. Berry, and the letting in of David Blackwell, the brother of Robert, was doubtless a part of the "four years' salary" of Governor Coles. The possession of the Vandalia press was a master stroke of policy on his part, and he deserves credit for it. But as Mr. Peck states that his design was formed simultaneously with the passage of the Convention resolution, he was but a few days less than fifteen months in making the achievement, and not until the battle, as it were, had been fought and won, the greatest importance resulting from it was in making assurance doubly sure.

This is a part of the secret history of the Convention contest which Mr. Peck professes to give. Another was the origin of the anti-slavery pamphlets and tracts scattered over the State before the election. In my replication I showed that there was not so much wonderment about it at the time, as he seems to suppose prevailed. But that part of his narrative of the events which he says were "known to but few," and which ludicrously shows his lack of memory, is that in which he divulges the "outside influence" —in other words, the forming of combinations among slave-breeders in the slaveholding States, to raise the question of introducing slavery into Illinois. It was my exposition of that project, more than two years before the passage of the Convention resolution, that first brought me into collision with Mr. Coles. If Mr. Peck was in possession of the facts, as he says he was, he should have made them known to Mr. C., and thereby saved his friend from placing himself in an awkward dilemma. The week or two previously, a rumor was current in the town that a project was on foot to raise the question of calling a Convention to admit slavery into the State.

The enemies of Governor Edwards were in strong hopes of identifying him with the scheme. Mr. Coles was uproarous about it, and declared he would spend all he was worth to prevent it. But no sooner did my exposition appear, in which it was shown that the nomination of Mr. Kane for Congress, in opposition to Mr. Cook, was a part of the plot, and his election first to be tried, than his tone was changed. Mr. Coles and his followers denounced

me as a calumniator, and denied the existence of any intention or movement, in the State or out of it, having for its object the introduction of slavery into Illinois. Governor Edwards having endorsed my statement, in his reply to the outrageous attack of Mr. Kane upon him, they, (Mr. Coles and five or six other gentlemen of Edwardsville,) addressed him a letter denying the statements, and calling upon him for proof. This he put them in the way of finding, and challenged them to consent to have their correspondence published. This they prudently declined, and thereby saved themselves from a public exposure.

Mr. Peck complains that in my replication I evaded the "main point," and he thinks by my silence I tacitly admitted his proposition. His "main point" appears to be, that the people of one State have not the right to interfere with those of another in the matter of slavery, or that each State has the right in itself to introduce or exclude slavery. I have not the Free West before me, containing my replication, but if I recollect rightly, I stated that no anti-slavery party that adopted the policy of political action, had ever claimed the right to interfere with slavery in the States. This is a different question from that of admitting a Territory as a slaveholding State into the Union. I do not, however, admit the right of a State, or of an individual to do wrong—to perpetrate "the greatest villany under the sun." Mr. Peck has yet to learn the A B C of anti-slavery. I supposed he once knew it; but if so, he has forgotten it all, and must be turned back. He shows himself to be twenty years behind the times on that subject.

It appears by Governor Coles' letter to Mr. Peck, published in the last Free West, that his feelings are very much hurt at my remarks concerning him, in the editorial notice of Governor Ford's book on the 21st of December. I suppressed the only paragraph in that article with which I supposed he could justly take offense, after it was in type. The purport of it was, that from my thorough knowledge of him at the onset, I had no confidence whatever in his professions of opposition to slavery; and his subsequent life has fully confirmed me in that opinion. He has had ample opportunity to prove his faith by works; but instead of doing so, he has opposed those whose works have proved their principles.—Emancipation is not abolition. If all the slaves in the States were emancipated

today, slavery would not be abolished, but might and would be continued, without special legislation against the obtaining of new supplies by kidnapping or illicit importation. One vote of Governor Coles in opposition to slavery itself, would have more influence in abolishing the system, than the emancipation of his slaves ten times over.

Contrary to my expectation, Governor Coles seems not at all displeased that Judge Ford, in his History, should place him, the Chief Magistrate of the State, under me, as contributor to the paper of which I was the editor and proprietor. Well, if he is content, I surely should be; for it would not become me, lately, to disparage the station of sub-editor, or to assign to its incumbent inferiority. The wonder is that a proud Virginian should not do so.

In my answer to Mr. Peck I acknowledged myself corrected by him, in regard to the doubt I expressed as to Mr. Coles' settling his negroes on farms. My idea of a farm was, a piece of land enclosed, with a house, barn and orchard on it, with fields of

Oats, peas, beans and barley,
And where corn and cabbage grow.

Such were scarce in Illinois at that time; but Mr. Coles did as well, or perhaps better, by giving them the material for making farms; and this he could do without any great drain upon his pocket, as almost any quantity of patented land could then be purchased for a trifle, say from ten to twenty dollars per quarter section, in the Military Tract, all the deeds for which were then required to be recorded at the Recorder's office in Edwardsville, to which Governor Coles refers me. On other lands in the county and district, only one-fourth of the purchase money had been paid to the government, upon entry at the Land Office. I did not take interest enough in his affairs, to go to the Recorder's office to see to whom he had conveyed land; nor should I have thought of going there to find the record of "free papers," nor the disposition to do so if I had.

While Mr. Coles and myself boarded together at Wiggins' hotel, there were three colored girls in the kitchen and house, who, as I understood, were of those brought to the State by him. Two of these were afterwards servants in my family. An elderly

colored lady, who I understood to be the mother of the girls in the kitchen, occasionally visited the hotel. She resided on Mr. Coles' farm, as cook for the men. She had with her two younger children, a boy and girl, *mulattoes*. These were all the colored people of whom I have any personal knowledge, as having belonged to Mr. Coles; and if there were others, I have wholly lost all recollection of them. They were sometimes incidentally the subject of conversation between Mr. Coles and myself, at his instance—for my curiosity never led me to make inquiries about them. I have no recollection of the two men he mentions, the Rev. Robert Crawford, and Thomas Cobb. I knew a colored man in the town, called Robert, but I never heard of his preaching, or of his being one of Mr. Coles' freed men; nor have I any recollection of a man being killed by falling into the public well. I am not conversant with the form of a deed of emancipation; but I supposed each person set free must be named, to make it valid, even if a whole family were included in a single instrument.

Governor Coles proceeds to say that, at the time I republished his letter in 1822, giving an account of the emancipation of his slaves, I "was openly hostile, seeking every occasion to traduce and injure him." This is notoriously untrue, as the files of the Spectator will abundantly show; and in this respect he is as culpable for not examining the matter, as he would hold me for not going to the Recorder's office to ascertain the number of negroes emancipated by him. At that very time, and by the act of copying that letter I was holding him up, as with a long pole—trying to keep him afloat on the surface. I have stated in the "Reminiscences" that Judge Pope came all the way from Kaskaskia, to apprise me of the progress of the canvass in his section of the State, and earnestly advised me, that, if I did not want Phillips elected I must let Coles alone; and he convinced me that such was the state of the case. As the election of the former would be considered as a triumph of the slave part[y], I came to a pause, and gave Mr. Coles a chance to recruit his strength, which had run very low; and to raise him to a level with Phillips, or above him, I copied, without request or comment, from the Illinois Intelligencer, two articles which he had communicated to that paper—one a letter from Mr. Jefferson to him; the other the

article above mentioned. By this means he gained slowly until the election, when he came out with a plurality of forty-four votes over Phillips. So, Governor Coles owed his election to the call of Judge Pope upon me, in his behalf—a man who did not care any more for him than I did.

I have not charged Mr. Coles with bad motives in emancipating his slaves, or in calling upon Methodist ministers, who resided out of town, to witness the deeds. As a political aspirant, he had a perfect right, and it was a mark of his shrewdness, to make all the capital he could out of the performance of a praiseworthy act.

Governor Coles avers that he was aware of the fact, that the bringing of his slaves into this State, unqualifiedly and absolutely set them free. Why, then, did he go through the farce of formally emancipating them, at Edwardsville, on the then next ensuing fourth of July? He would explain it by saying that Mr. Cook advised him that his negroes should have free papers, to save them from being taken up under one of the black laws, which was then as well as now, generally regarded as a dead letter. A certificate that the negroes were formerly slaves in Virginia, and came to this State with the consent of their master, would have been sufficient. But I do not believe Mr. Cook designed to set a trap for Mr. Coles, by inducing him to put his violation of the black code upon record, and thereby furnish evidence for a prosecution against himself.

In that prosecution Governor Coles had all my sympathy. It was instituted by the Commissioners of Madison county, whose attention had been called to the subject in an anonymous publication, written by the late Judge Smith. It was to recover the penalty, which inured to the county, for emancipating his slaves in the State, without giving bond and surety against their becoming a county charge. Mr. Peck's memory also fails him in this matter. The "onerous" penalty was prescribed by law, not imposed by the "prejudiced judge," (McRoberts,) and reversed by the Supreme Court. The penalty was remitted by a special act of the Legislature. My own recollection is not clear about it—but if the case was previously before the Supreme Court, the first trial in the Circuit Court must have been before Judge John Reynolds, (Mr. Peck's present hospitable friend,) and the decision must

have been confirmed on appeal, and the cause remanded to the Court below for the rendering of Judgement. And this was precisely the phase of the case, as it was before Judge McRoberts at the Spring term, 1825, being the first under the operation of the new organization of the Judiciary. There was no action before the Court at this term but the question of rendering judgement; and this had been precluded by the Legislature the previous winter. This was Judge McRoberts' maiden decision. He pompously pronounced an elaborate opinion, in which he declared the remission of the penalty by the Legislature unconstitutional, because it was a vested right accruing to the county of Madison. The case was in the Supreme Court, on appeal or writ of error, the ensuing summer, Judges Wilson, Browne, and Smith, present. The latter, as I have before intimated, was the prime mover of the prosecution. Judge Lockwood, having been of Governor Coles' counsel, sat aside. The case was here argued by Judge John Reynolds for the prosecution, and for the defense by Henry Starr, Esq., who took the ground of the "Higher law." I do not remember what the decision of the Court was, if any were made. It seems to me that a compromise was made by the attorneys; but be that as it may, Governor Coles was not required to pay the penalty, but only the costs of prosecution.

But I must conclude these remarks, having already, perhaps, said more than the occasion rendered necessary. As Governor Coles is to figure as the principal character in the great work in preparation for the press by Mr. Peck, "The Moral Progress of the Mississippi Valley," and as he has furnished a sketch of his life for its pages, I tender to Mr. P. full liberty to freely use all I have said of him in this discussion, asking nothing in return but the present of a copy of the book, when published.

H. WARREN.

Henry, Marshall Co., Ill., June 29, 1855

COLES TO BARRY, June 25, 1858

[Chicago Historical Society, Autograph Letters, 44: 33-48]

[*Endorsed in Pencil:*] The following was addressed to Wm. Barry, who visited Ex. Gov. Coles at Phil[a]. about the same time.

PHILADELPHIA June 25. 1858.

DEAR SIR—

I would sooner have replied to the letter addressed me by you as Secretary of the Historical Society of Chicago, for my reminiscences of Morris Birkbeck, but for my having been suffering from the effects of a cold, and not being able to lay my hands on some of the few documents, I supposed I had, which would assist me in doing so. I allude to the pamphlet published by M^r^. Birkbeck of an Agricultural tour he made through France, a few years before he left Europe, and to the second pamphlet (the first I have) he published in 1823., in opposition to the attempt then made to make Illinois a slave-holding State; and also to some publications he made in the newspapers on that and other subjects, as well as the annual addresses he made to the Agricultural Society of the State including an essay he published on the origin of prairies &c. Fearing if I delay longer to reply, my health and the warm season will require me to leave the City for a more agreeable & healthy summer residence, I have determined to furnish a few general facts in the best way I can from recollection, and the few aids I have at command. Before doing so I must state, as a greater difficulty in my fulfilling your request, to my satisfaction or that of your Society, is that on leaving Illinois I presented to the Historical Society of Alton all the documents, in the form of books and papers, I had collected in relation to that State—stipulating that my friend the Rev^d^: J. M Peck should, in compliance with his request, be allowed to retain and have the use of them, to aid him in the historical collections he was then engaged in making. This proved unfortunate, as my books and papers were in consequence in M^r^. Pecks house when it, and his library, were consumed by fire. A portion of them, he wrote me, had been, with some of his books, saved from the flames. How many, or what particular ones had been saved, I was not informed. Among the books and papers of mine thus left in the hands of M^r^. Peck, was a file of Illinois newspapers bound in volumes, embracing a period of twenty years, from May 1815 to the year 1835—believed to be the oldest file of Illinois newspapers in existance [*sic*]—which would, if accessible to me, be of great service in this as well as in other cases in furnishing me dates and facts which have escaped

my memory. I gave also to Illinois, and I presume it is in the Library of the office of the Secretary of State, a volume of the Illinois Intelligencer,[8] which includes the trying and exciting times from 1822 to 1824, when efforts were made to make Illinois a slave holding State. I mention these facts that you, and other members of your Society, may know where to find these files—if not burnt in Mr. Pecks house.

I beg pardon for this digrission [*sic*], and for saying so much in explanation of the past, and in excuse for the disappointment this communication will occasion the Historical Society of Chicago, and will proceed at once to sketch a few general facts, chiefly from a waning memory, of my old friend Birkbeck.

I was made acquainted with Morris Birkbeck in London in the spring of 1817 by John Q. Adams, then our Minister in England, who told me he had asked it of him, in consequence of having heard I had traveled much, particularly over the western portion of the United States. Mr. Adams prepared me for the acquaintance by telling me Mr. Birkbeck contemplated removing to our Country, and would be a great acquisition to it, as he was not only one of the best practical and scientific agriculturalists of Great Britain, but had much literary taste and knowledge. On making his acquaintance Mr. Birkbeck invited me to visit him at his residence in the Country, which I did and remained with him four or five days. He held a large estate in Surrey, under lease for a term of years, which he cultivated and managed with all that skill taste and judgement for which he had reputation. He took me over every part of the estate, and pointed out and explained everything peculiar, or in which the English agriculturalists excelled. This was the more interesting and gratifying to me from my having a predilection for agricultural pursuits. The pleasure I evinced, and the information I was enabled to impart, of how similar things were done in my Country, encouraged him to ask, and to give, the most minute details as to how estates were cultivated and managed in our respective Countries.

With a heart beaming with the republican and philanthropical feelings congenial with our political Institutions, it was natural that he should be partial to the United States, and in early youth

[8] This volume is in the Illinois State Historical Library at Springfield.

to have imbibed them, with a desire to make our Republic his home. These feelings and this desire becoming known, as he presumed, led to his receiving a flattering invitation to reside in the United States. But for his modesty he would have attributed it to the early partiality he displayed for agricultural pursuits, the knowledge he possessed of them, his high moral and intellectual character, and promise of pre-eminence as an agriculturalist, as doubtless they had greater influence in obtaining the invitation refered to, and which I will now explain:

Gen: Washington, being prevented by official duties, and other calls on his time, and having too a high opinion of English skill in agriculture, wrote to one of his agricultural corrispondents [*sic*] in England (Mr. B. told me his name, but I have forgotten it) to employ for him a skillful and judicious agriculturalist to be his Agent and manager of his Mount Vernon estate. Young Birkbeck was selected and offered the station. His partiality for the United States made him at once accept the offer. But on making it known to his Father, he beseeched him, as his only son, not to leave him, and with that filial affection, congenial with his nature, he acquiesced in the wishes of his aged Parent—and thus delayed his becoming a Citizen of the United States. This incident of his life he was fond of dwelling on, and it had the effect of increasing his predilection for this Country, and stimulating his hope of ultimately making it his home. Never having lost sight of this, nor abated in his desire to remove to the U. S., he availed himself of every opportunity of gaining information of what he considered his future home. For this purpose he read our newspapers, and all our publications he could lay his hands on, and stowed in his extensive Library all books which treated of this Country. In this way he became unusually well informed of all things in relation to it. I was frequently astonished to find how diversified and minute was the information he possessed of the United States.

From all Mr. Birkbeck had read and heard, he was inclined to give the Miami Country above Cincinnati the preference, and looked to it as his future home. I concurred with him in considering it a delightful Country, and like him had looked on it with partial eyes. But on seeing the Prairie region, I told him, I

became convinced it was greatly to be preferred for many and important reasons, particularly for Europeans, or emigrants from old and settled Countries. The beauties and grandeur displayed in these great farms of nature, the facilities they afforded, and the conveniences and advantages derived, for more than the life time of a youthful emigrant, are inconceivable to one who had not seen and compared such a Country to a densely and heavily timbered one, where everything had to be done to make it subservient to the uses of man. I told him I had often thought on beholding a new settler in the forest, commencing to make his improvement, that it required more resolution, firmness & perserverance in a farmer to encounter a dense forest, to convert it into a farm, than for a military man to lead a for-lorn-hope to battle. Then again the trouble and labor are not confined to making the farm, but extend to the opening of roads; in both cases when the trees are cut down and removed, and the farm & road are said to be opened, there still remain the stumps and roots to impede the progress, and increase the labor of cultivating the one, and traveling over the other. On my telling him the English laborers, he contemplated carrying with him, would be out of place and unprofitable in a new forest country—that one backwoodsman could do the work of two or three English laborers, in clearing lands, in cutting down trees, making rails for fences &c &c—he laughed at what he considered my ignorance of the dexterity of English laborers. He afterwards told me in Illinois that he found what I said was correct, and that he had to empl[o]y Americans, or backwoodsmen, for the purposes I mentioned.

Mr. Birkbeck came to this Country, accompanied by his two grown Daughters, and two sons (he had lost his Wife many years before) leaving two sons in Europe—one of which soon followed and resided near him in Illinois—the other was a Merchant and resided in Hamburg in Germany. He had also accompanying him his friend George Flower &c, making in all a party of nine persons, who came with him from England to Illinois. On learning his intention to embark with his family and friends for Norfolk in Virginia, and to proceed from thence by land through parts of Virginia Maryland and Pennsylvania to Ohio, I furnished him with letters of introduction to friends of mine residing near the

line of his route; and believing he would follow my advice, and visit Illinois before he settled himself, I gave him letters also to that State and Indiana. At Richmond in Virginia, where he and his family remained eight or ten days, my friends had the pleasure of showing him several plantations—one of which was on the banks of James River, and among the largest and best cultivated in the State. He was agreeably surprised to find the agriculture better on that place than he had expected. But as a general thing, he found on the line of his route through the lower portion of Virginia, the agriculture and general face of the Country much worse than he expected—which he attributed to the institution of Slavery. He witnessed a sale of Slaves at auction in Richmond, at which his feelings were harassed, and so much overcome that he shed tears at the grief displayed by some of the women on being seperated [*sic*] from their families.

In his highly interesting pamphlet, entitled, "Notes of a journey in America from the Coast of Virginia to the territory of Illinois, with proposals for the establishment of a Colony of English. By Morris Birkbeck, author of Notes on a tour in France"—He says—"On taking leave of Virginia, I must observe, that I found more misery in the condition of the negroes, and a much higher tone of moral feeling of their owners, than I had anticipated; and I depart, confirmed in my detestation of slavery in principle and practice; but with esteem for the general character of the Virginians." In another place M^r^. Birkbeck says—"I must however, do this justice to the slave master of Virginia: it was not from him that I ever heard a defence of Slavery: some extenuation, on the score of expediency or necessity, is the utmost range now taken by that description of reasoners who, in former times, would have attempted to support the principle as well as the practice."

Soon after my return to America, I received letters from M^r^. Birkbeck, representing his journey to Ohio as having been very agreeable to him and his party, and the Country to have improved and become more cheerful and interesting in appearance as he proceeded West. From Madison in Indiana he wrote me July 12. 1817, that "after having looked in vain through Ohio and enquired with like effect about vacant lands suitable for my pur-

poses in the State of Indiana, we, that is to say, self & family, are making our way into your favorite Illinois."

Though I had cautioned him against wedding himself to the first lovely and bewitching Prairie he saw, and advised him to take time and explore the Country generally, before he purchased or located himself, he nevertheless became enraptured with the first large prairie he beheld, and his admiration increasing as he proceeded, he could not resist purchasing and uniting himself, better for worse, to the second and neighboring prairie. On my expressing regret he had not before purchasing gone to the western side of the State, and seen more of Illinois, he said emphatically that the man who was not satisfied and wanted anything better, was not fit for this world, and it was ominous that he would not be satisfied & happy in the next.

There being no dwellings or improvements on the land he purchased, nor comfortable accomadation [*sic*] near it, he and his family located themselves, until they could be prepared, at Princeton in Indiana. From which place he wrote me a cheerful letter January 7. 1818, in which, among other things, he says: "The situation I have chosen is I think an exception to the general character you have justly given of the lower Wabash. It is far out of the reach of that river and its attendant marshes, and affords as good prospects, in point of health, as any country I have seen west of the Ohio. You give us reason to hope that we shall see you in the spring: I will therefore wait for the pleasure of conducting you over our Prairie, without further attempts to weaken your objections; for I daresay you have learnt to confide little in the statements of settlers with regard to their own choice. We emigrants are generally sanguine. I think myself tolerably wary and cool headed; but many, who suppose they know me, would laugh at my pretensions. My daughters, I am most happy to say, are anything but repentants. They adapt themselves most cordially to all that is comfortable in our new condition, and have a good knack in extracting some pleasures from circumstances, [which] to minds of a sinister cast, would be misery unmixed. No sir, in good truth we are not penitents: we left behind us something to regret, and we find here much to enjoy; and our enjoyments have the charm of improvement, which brightens every

thing in a new Country; whilst the privations are in their nature temporary. For a man of my age you will say this way of viewing the subject is a little too remote: but if it answers the purpose, no matter! I ought to have mentioned when on the subject of my application for land, that I have received a very polite and friendly letter from Mr. Madison, whose sentiments are similar to those you express.—I should gladly have smoothed the way for many of my old friends, who are weighed down by taxation and pauperism: All I want of indulgence is in point of time. I might otherwise expose myself to great inconveniences. However having made the application I leave it to the good sense of the Legislature. It is a trifle to *grant*, but, to the object of it, it would be inestimable.

If your visit to our Country should not be before May, I hope to receive you in our Cabin on Boltinghouse prairie; where you shall have a hearty welcome to a share of our mush & milk, sweetened, if you please, with delicious honey."

In explanation of the above extract, I will add that Mr. Birkbeck made application to Congress that winter to grant him and his companions a longer time to complete their payments to the Government for the lands they proposed to purchase and settle on—which however was not granted. I gave Mr. B. a letter of introduction to ex President Madison, which in passing through Virginia, not going near his residence, he did not deliver. This will explain his writing to Mr. M.

Owing to my going to Illinois in a steamboat to St. Louis, and being occupied in the western, my favorite part of the State, I was prevented from visiting M^r^. Birkbeck until in the autumn of 1818.,[9] when I was exceedingly gratified—the more so from his assuring me that I was the cause of his being an inhabitant of the prairies—to find him and his family very comfortably fixed in them, had then been in the enjoyment of uninterrupted health, with no abatement in their first prepossessions for their new home, and in fine that all were contented and happy, with their expectations more than realized. They were all kindness and devotion to me, and I enjoyed my visit exceedingly, which I did in all the numerous visits I made them.

[9]Mr. Coles made two trips to Illinois before his final removal with his slaves in 1819. His first trip was made in 1815.

Under the expectation that the number of emigrants looked for would have the effect greatly to advance the price of lands in the vicinage, Mr. Birkbeck purchased a larger amount than he cared about permanently holding, & hoped to sell a portion of it at an advanced price, but on terms of credit and accommodation to the emigrants which were expected. But in this he did not realise [*sic*] his anticipations. For although emigrants, as expected, soon followed him, and to an extent that in a year or two amounted to some 6 or 800 English people, yet owing to an unfortunate schism which sprung up between Mr. Birkbeck and Mr. George Flower, his old friend and coadjutor in the scheme of emigration; and second only to Birkbeck in wealth and influence in the English settlements and this feud spreading through the settlement, had a bad influence on the social intercourse and joint action of the English settlement, and proved very deleterious to its advance and prosperity. Another cause which had influence in retarding its progress was Rapps settlement near it on the Wabash called "Harmony," in which, consistently with its name, there was for many years a great deal of harmony and friendly communion which contributed to its prosperity. Such were the effects of discord at the one place, and harmony at the other, that with all the skill and dexterity of English laborers, they found it cheaper, as they told me, to buy many agricultural productions & other necessaries of life, at Harmony than to make them themselves at and near their town of Albion. Notwithstanding this unnatural, and from Mr. Birkbecks amiable and benevolent feelings, peculiarly painful state of things to him, between friends and acquaintances who had left their native land kindred and early friends, and removed together to a distant country and settled among strangers—Mr. Birkbeck remained constantly at home, indulging in the intellectural [*sic*] enjoyments of his large and well selected library, and in the rural and agricultural pursuits of his new estate. I had the pleasure of visiting him nearly every spring and autumn, and participating in his enjoyments, and witnessing the annoyances arising from the feud—the only drawback he seemed to have. Everything else connected with his settlement and residence in Illinois, was more agreeable than even his sanguine imagination had anticipated.

In October 1819, over the signature of "A Farmer of Madison County," I invited the Farmers of Illinois to meet on the 10th of the next month to form an Agricultural Society of the State of Illinois. This was accordingly done. Mr. Birkbeck was prevented from attending the meeting, and never having visited the western portion of the State, nor gone to any distance from home, he was known only as the head and founder of the English settlement in Edwards County, and not personally known to but very few of the people of Illinois. I nevertheless ventured to bring him to notice of the Society as the best qualified man in the State to be its President; and had the more influence in effecting my object, as I was also brought forward for the same station, which I declined in favor of M^r^. Birkbeck. He was annually re-elected, and continued its President for four years, when he declined serving longer, in consequence as he avowed, of the Society meeting at the Seat of Gov^t^: in the winter, and the length and discomforts of traveling so far at that inclement season of the year. There was another reason which he whispered to me, as having its influence in leading him to decline serving as President, and disheartening him in the cause. It was a conviction that the Country was not ripe for it, as was evinced in the want of zeal displayed in its support. Mr. Birkbecks annual addresses to the Society were well written, as everything from his pen was, and displayed all that knowledge which was to be expected from his high reputation as a scientific and practical agriculturist. In some instances however, I will venture to say, it was perceptible to a practical American agriculturalist, that his knowledge however great, was better adapted to the place of its nativity—to England than to America—to an old Country where land is of the first consideration, and labor of the second—than to a new and sparsely settled Country, where land is plenty and cheap, and labor scarce and dear. This want of adaptation of his knowledge and practice, in every instance, to a new and sparsely inhabited Country, was to be expected of a man reared as he had been, and with his short experience of the difference between an old and new Country. It was apparent in many things in the management of his Estate in Illinois, especially in its not being as profitable as it should have been. But then in justice to him, and to

all of us of that day, it should be stated, that the want of profit on landed estates arose from the want of internal improvements, and its consequent want of opportunities of sending to or finding a market for our productions.

In the spring of 1823, after the Legislature had taken the first step toward making Illinois a slave-holding State, by submitting the question for the consent of the people, to call a Convention to alter the Constitution for that purpose, I wrote to Mr. Birkbeck urging him to take an active part in crushing in the bud a measure inconsistent and revolting to the spirit of the age, and disgraceful to the State: That no time should be lost in the active employment of his powerful pen, in commencing and continuing his labors in drawing up and publishing, pamphlets, newspaper paragraphs, and in every way in his power, to enlighten the people on the question which had been submitted to them. This he promised me to do, and accordingly published in July 1823 "An Appeal to the people of Illinois on the question of a Convention—By Morris Birkbeck." In this pamphlet Mr. B. displayed his great powers of composition, and skill in handling the question. He continued his labors in publishing a second pamphlet, and numerous articles in the newspapers, some over his own name, and many over that of "Jonathan Freeman"—"Q."—and others. Most of these articles were published in the Illinois Gazette, and many of them republished in other newspapers; and the pamphlets were reprinted for greater circulation among the Citizens of Illinois. No one rejoiced more than Mr. Birkbeck in our success in preventing Illinois from being made a slave-holding-State.

David Blackwell having been elected a Member of the Legislature, and having notified me in September of his intention to resign the office of Secretary of State on the first of the following month, I wrote and tendered the office to Mr. Birkbeck. This surprised him very much, as no intimation of such an intention had been given him, or wish for the office had been hinted at by him, or any of his friends. Expressing gratification at such a flattering proof of my friendship and high opinion of him, and the opportunity it would afford him of being near and associating with me, he consented to accept, and accordingly in a few days attended at the seat of government, and entered on the duties of his office.

He went to work at once to make himself acquainted with them, and his methodical business habits, and familiarity with arranging books and papers in his extensive library, were soon visible in the improved and classified arrangement of those belonging to the office of Secretary of State. In a reasonable time after the meeting of the Legislature, and after he had time to become acquainted with the Members, I nominated him to the Senate for their confirmation of his appointment as Secretary of State. Much to my regret, and to his mortification, on the vote being taken there was found to be a small majority of the Senators opposed to his confirmation. This arose from no doubt of his ability and qualification for the office, but from his being a foreigner recently naturalized; and from his retired habits he had made himself but very little known; and from his having given offence to some from the active and efficient part he had taken in preventing Illinois from being made a slave-holding-State; and also from his having been thought to have meddled in some measures before the Legislature in a way not pleasing to some of the Members. Soon after his rejection by the Senate he returned to Wanborough his residence in Edwards County, and resumed his quiet domestic life devoting himself to his farm, which he never left to go a distance from home.

On the adjournment of the Court at Albian [*sic*] in [*blank in MS.*] Mr. Birkbeck, Judge Wattles, and several of the Lawyers, made a visit to the celebrated Robert Owen and his associates, who had purchased out Rapp and were residing at Harmony. After spending several days in a very sociable and agreeable manner, Mr. Birkbeck and his Son set out to return home, soon after a very heavy shower of rain had fallen, which swelled the little creek opposite Harmony on the west side of the Wabash river, in attempting to cross which Mr. Birkbeck and his horse were drowned.

I have not had opportunities since Mr. Birkbecks death, and my removal from Illinois, to learn about his children, and what little I have heard has been in the form of rumor, and may not be correct. It is certain however that his posterity have not taken that deep root in the prairies of Illinois as was to have been presumed they would have done, from his great predilection for

them. I understand his children, not long after his death, sold all the landed estate he died possessed of in Illinois, and removed from the State: One son to Indiana, near Harmony, and two of his sons, and his two daughters migrated many years since to Mexico, and were, the last I heard of them, employed in superintending some kind of mines.

With again asking your indulgence for the imperfections of this communication, as well for the reasons assigned, as for those arising from the burden and infirmities of age, which make writing tedious and laborious, I will conclude with renewing assurances of my great respect.

EDWARD COLES

WILLIAM BARRY Esq: Secretary of the Historical Society of Chicago.

COLES' HISTORY OF THE ORDINANCE OF 1787

[Read before the Historical Society of Pennsylvania, June 9, 1856 [Philadelphia] Press of the Society, 1856]

ORDINANCE OF 1787.

TO THE HISTORICAL SOCIETY OF PENNSYLVANIA.

I AM sensible of the compliment paid me by the passage of the Resolution of the Society, requesting me to prepare for it an historical sketch of the celebrated Ordinance of 1787, and regret that sedentary occupation, and particularly the labor of the pen, being prejudicial to my health, will prevent my making such a response to the call as the highly interesting character of the subject requires, or fulfilling the expectations doubtlessly entertained by the Society when the resolution was adopted. This state of things will disable me from making the researches necessary to a full exposition of facts, or even writing out my recollections of them to the extent desired. It will require me to economize my labors in every way I can, and particularly the prejudicial one of writing, and content myself with developing only such facts as are essential to understanding the history of the Ordinance. To this I must add, as a further barrier to my doing justice to the subject, that I cannot procure, here, a history of Indiana, or indeed anything that deserves that name of any of the subdivisions

into which the Northwestern Territory was divided; which compels me to rely mainly for local facts on my memory and personal memoranda. With this explanation, I will proceed at once to comply with the request of the Historical Society of Pennsylvania.

The country situated to the northwest of the Ohio River, long known as the Northwestern Territory, was claimed by Virginia, except a small part of it bordering on Lake Erie, which was claimed by Connecticut. These two States ceded all their claims to the United States, and thus they obtained a perfect title to the whole. The deed of cession from Virginia was dated March 1, 1784; and was signed, among others, by Jefferson and Monroe, afterwards Presidents of the United States. It ceded all her right and title to the soil and jurisdiction to the United States, and made many stipulations; among others, "That the French and Canadian inhabitants and other settlers of the Kaskaskias, St. Vincents, and the neighboring villages, who have professed themselves citizens of Virginia, shall have their possessions and titles confirmed to them, and be protected in the enjoyment of their rights and liberties." It also reserved 150,000 acres of land near the rapids of the Ohio for that portion of her State troops which had reduced the country, and about 3,500,000 acres of land between the rivers Scioto and Little Miami for bounties to her troops on the "Continental Establishment." These facts are mentioned, and should be borne in mind, as they will be shown to have an influence in forming the opinions and explaining the conduct of a portion of the inhabitants under the operation of the Ordinance. In consequence of the objectionable stipulations made by Virginia, as to the divisions of the territory into States, the deed of cession was referred back to that State, with a recommendation from Congress, that these stipulations should be altered. On December 30, 1788, Virginia assented to the wish of Congress, and formally ratified and confirmed the fifth article of compact, which related to this subject, and tacitly gave her assent to the whole ordinance of 1787. A few days after the execution of the deed of cession by Virginia, at the instance of Mr. Jefferson, a committee was raised, consisting of Thomas Jefferson, of Va., Samuel Chase, of Maryland, and

David Howell, of Rhode Island, for the purpose of organizing and providing for the Government of the newly acquired territory. Mr. Jefferson, as chairman of the committee, made a report, now to be seen in his handwriting among the archives of Congress in the Department of State at Washington. It provides, "that the territory ceded or to be ceded by individual States to the United States," "shall be formed into distinct States," the names of which were given, and the boundaries defined; and the divisions thus made contemplated and embraced all the western territory lying between the Florida and Canada lines. That is, it included the territory which had been "ceded" to the northwest of the Ohio River, and that "to be ceded" to the southwest of that River, or elsewhere, by individual States to the United States. It also provided for a temporary or Territorial Government; authorized the adoption of the laws of any other State: to have a representative on the floor of Congress, with the right of debating but not voting, &c., &c., until the inhabitants should amount to 20,000, after which it authorized the formation of a permanent or State government; and for its admission into the Union: Provided both the Territorial and State Governments should be established on the following principle as a basis, which were declared to be articles of a charter of compact, to stand as fundamental constitutions between the thirteen original States and the new States to be formed, unalterable but by the joint consent of the United States, and the particular State with which such alteration was proposed to be made: 1st. That they shall forever remain a part of the United States of America. 2d. That in their persons, property, and territory, they shall be subject to the Government of the United States in Congress assembled, and to the articles of confederation in all those cases in which the original States shall be so subject. 3d. That they shall be subject to pay a part of the Federal Debt, contracted or to be contracted, to be apportioned on them by Congress according to the same common rule and measure by which apportionment thereof shall be made on the other States. 4th. That their respective Governments shall be republican in form, and shall admit no person to be a citizen who holds any hereditary title. 5th. That after the year 1800 of the Christian era, there shall

be neither slavery nor involuntary servitude in any of the said States, otherwise than in punishment of crimes whereof the party shall have been duly convicted to have been personally guilty.

Before proceeding further in making references and quotations, I must inform those who have not had occasion to examine the Journals of the Old Congress, that they are so imperfectly made out, with so many omissions, that it is impossible to trace the proceedings, and fully to understand what took place in forming the Ordinance or any other measure of the kind. It may also be well to state, in order to enable all to understand the Journals, that the Old Congress, under the Articles of Confederation, voted by States; that to entitle a State to vote it must have at least two members present; and that for the adoption of a measure, at least seven States (the majority of the whole number of the thirteen States) must vote in favor of it: indeed in some important cases nine States were required.

Previous proceedings are to be inferred from the following entry in the Journals, though I have not been able to find them. April 19, 1784, "Congress took into consideration the report of a committee consisting of Mr. Jefferson, Mr. Chase, and Mr. Howell, to whom was recommitted their report of a plan for a temporary Government of the Western Territory; when a motion was made by Mr. Spaight, seconded by Mr. Read, to strike out the following paragraph: 'That after the year 1800 of the Christian era there shall be neither slavery nor involuntary servitude in any of the said States, otherwise than in punishment of crimes whereof the party shall have been convicted to have been personally guilty.' And on the question, shall the words, moved to be struck out, stand. The yeas and nays being required by Mr. Howell:

New Hampshire—Mr. Foster, *ay;* Mr. Blanchard, *ay* . *Ay.*
Massachusetts—Mr. Gerry, *ay;* Mr. Partridge, *ay* . . *Ay.*
Connecticut—Mr. Sherman, *ay;* Mr. Wadsworth, *ay* . *Ay.*
New York—Mr. De Witt, *ay;* Mr. Paine, *ay* . . . . *Ay.*
Rhode Island—Mr. Ellery, *ay;* Mr. Howell, *ay* . . . *Ay.*
New Jersey—Mr. Dick, *ay*
Pennsylvania—Mr. Mifflin, *ay;* Mr. Montgomery, *ay;*
Mr. Handy, *ay*. . . . . *Ay.*

Maryland—Mr. McHenry, *no;* Mr. Stone, *no* . . . *No.*
Virginia—Mr. Jefferson, *ay;* Mr. Hardy, *no;* Mr. Mercer, *no* . . . . . *No.*
North Carolina—Mr. Spaight, *no;* Mr. Williamson, *ay* *Divided.*
South Carolina—Mr. Read, *no;* Mr. Beresford, *no* . . *No.*

So the question was lost and the words were struck out."

That is, although there were six States in favor of retaining the clause, out of the ten States that voted, it was nevertheless struck out, because there was wanted the vote of one more State to make a majority of all the States then in the confederation.

Congress resumed the consideration of the plan of the Government of the Territories, from day to day, until April 23, 1784, when it was agreed to, as amended, with the concurrence of every State (except Delaware and Georgia, not represented), and of every member of Congress except the two from South Carolina.

The plan of Government thus adopted by Congress was founded on one reported by Mr. Jefferson, with some alterations. The chief of these consisted in striking out the clauses prohibiting slavery, as seen above, inhibiting citizens from holding any hereditary title, and giving names and boundaries to the new States; and also in adding to the fundamental articles of compact, as drawn by Mr. Jefferson, that the new States should in no case interfere with the primary disposal of the soil by the United States, that no tax should be imposed on lands the property of the United States, and that the lands of non-residents were never to be taxed higher than the lands of residents. With these exceptions, the plan adopted by Congress, April 23, 1784, was substantially the same, and for the most part, in the words of the one submitted to Congress by Mr. Jefferson. Fourteen days after its passage, viz: May 7, 1784, Mr. Jefferson was appointed minister to France and vacated his seat in Congress.

The next notice of the subject I have been able to find in the journals of Congress, is on the 16th of March, 1785, when "a motion was made by Mr. King, seconded by Mr. Ellery, that the following proposition be committed: that there shall be neither slavery nor involuntary servitude in any of the States described in the resolve of Congress of the 23d of April, 1784, otherwise

than in punishment of crimes whereof the party shall have been personally guilty; and that this regulation be an article of compact, and remain a fundamental principle of the Constitutions between the thirteen original States and each of the States described in the said resolve of the 23d of April, 1784."

On the question for commitment, the yeas and nays being required by Mr. King, eight States, viz: New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, and Maryland voted in the affirmative; and three States, viz: Virginia, North Carolina, and South Carolina voted in the negative. Georgia had but one member present, and of course, her vote was not counted. To what committee this motion was referred, or what further was done on the subject is not stated in the journal.

On the 7th of July, 1786, this entry is made: "Congress took into consideration a report of a grand committee, to whom, among other things, was referred a motion of Mr. Monroe respecting the cession of Western Territory, and forming the same into States;" when it was "resolved that it be and is hereby recommended to the Legislature of Virginia, to take into consideration their act of cession, and revise the same, so far as to make such a division of the territory of the United States lying northwardly and westwardly of the river Ohio, into distinct and republican States, not more than five nor less than three," &c.

The next entry in the journal which has reference to the subject is under date of September 29, 1786, when, "Congress proceeded in the consideration of an Ordinance for the government of the Western Territory, reported by Mr. Johnson, Mr. Pinckney, Mr. Smith, Mr. Dane, and Mr. Henry." On the 4th of October following, "Congress resumed the consideration of the Ordinance for the government of the Western Territory." On May 9, 1787, "Congress proceeded in the second reading of the Ordinance for the government of the Western Territory." On May 10, 1787, the third reading was postponed. On July 11, 1787, "the committee consisting of Mr. Carrington, Mr. Dane, Mr. R. H. Lee, Mr. Kean, and Mr. Smith, to whom was referred the report of a committee touching the temporary government of the Western Territory, reported an Ordinance for the government of the Territory of the

United States northwest of the river Ohio; which was read a first time."

The next day it was read a second time, and the day following, July 13, 1787, it was read a third time and passed by the following vote: "the yeas and nays being required by Mr. Yates.

Massachusetts—Mr. Holton, *ay;* Mr. Dane, *ay* . . . *Ay.*
New York—Mr. Smith, *ay;* Mr. Haring, *ay;* Mr. Yates, *no* . . . . . *Ay.*
New Jersey—Mr. Clarke, *ay;* M. Scheurman, *ay* . . *Ay.*
Delaware—Mr. Kearney, *ay;* Mr. Mitchell, *ay* . . . *Ay.*
Virginia—Mr. Grayson, *ay;* Mr. R. H. Lee, *ay;* Mr. Carrington, *ay* . . . . . *Ay.*
North Carolina—Mr. Blount, *ay;* Mr. Hawkins, *ay* . *Ay.*
South Carolina—Mr. Kean, *ay;* Mr. Huger, *ay* . . . *Ay.*
Georgia—Mr. Few, *ay;* Mr. Pierce, *ay* . . . . . *Ay.*
So it was resolved in the affirmative."

The Ordinance as it thus finally passed Congress with such extraordinary unanimity, first provides rules for the inheritance and conveyance of property; it then provides for the appointment of the Governor, Judges, and other officers of the temporary or territorial governments, and defines their powers and duties; it also provides for the election of a delegate to Congress, to have the right of debate but not of voting during the temporary government. It then goes on to say, "for extending the fundamental principles of civil and religious liberty," &c. "It is hereby ordained and declared, by the authority aforesaid, that the following articles shall be considered as articles of compact between the original States, and the people and States in the said territory, and forever remain unalterable unless by common consent." Of these the first article secures the religious freedom of the inhabitants: the second secures to them the right of the writ of habeas corpus, the trial by jury, the inviolability of contracts, &c.: the third declares that schools and the means of education shall be encouraged, and good faith shall be observed towards the Indians: the fourth provides that the Territories shall remain forever a part of the United States; pay their just proportion of the Federal debts and expenses; not interfere with the primary disposal of the soil by the United States, nor tax non-resident

proprietors higher than residents; and that the navigable waters leading into the Mississippi and St. Lawrence rivers, and the carrying places between the same, shall be common highways and forever free to all the citizens of the United States: the fifth provides for a division of the Territory into States and their admission into the Union when they shall have 60,000 inhabitants, on an equal footing with the other States, provided their constitutions be republican; and the sixth ordains that there shall neither be slavery nor involuntary servitude in the said Territory, otherwise than in the punishment of crimes whereof the party shall have been duly convicted: Provided always that any person escaping into the same from whom labor or service is lawfully claimed in any one of the original States, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or services as aforesaid. There is then added a repeal of the resolutions of April 23, 1784.

A comparison of the plan of government, as drawn by Mr. Jefferson, and that finally adopted by Congress, both of which I have endeavored briefly to sketch, will show—1st. That with Mr. Jefferson, originated the idea of a compact between the original States and the new States to be formed out of the territories, unalterable but by their joint consent. 2nd. That his plan of government or ordinance was intended to apply to all territory, ceded or to be ceded by individual States to the United States; while the ordinance passed by Congress confined it to territory previously acquired—that is to the territory northwest of the river Ohio. 3d. That by Mr. Jefferson's plan or ordinance the territory was to be formed into distinct States, whose names and boundaries were designated; with a provision that they might form a temporary government; adopt the constitution and laws of any one of the original States, such laws being, however, subject to alteration by themselves; have a representation in Congress, though without a vote; and when they should have 20,000 inhabitants, form a permanent State government, and be admitted into the Union, on an equal footing with the original States—all which provisions were those which formed substantially the ordinance as finally adopted by Congress, though it was so far qualified, that a State could not claim a right of admission into the Union until it

had 60,000 inhabitants; to which were added in more detail the form of territorial government and some specific regulations in regard to the inheritance and conveyance of property. 4th. That to the provisions which Mr. Jefferson originated and inserted in his plan, making it a matter of compact that the new States should forever remain part of the United States; be subject to the government of Congress, and the articles of confederation; bear their share of the federal debts; adhere to a republican form of government, and admit no one to citizenship who should hold an hereditary title—to these the Ordinance as adopted by Congress added provisions to protect the public lands from interference and taxation; to preserve as highways some of the great rivers; and to enlarge the enumeration of the personal rights of the citizen. 5th. That the most important clause in Mr. Jefferson's plan—that which provided that "after the year 1800 of the Christian era there should be neither slavery, nor involuntary servitude, in any of the said States, otherwise than in punishment of crimes, whereof the party shall have been duly convicted to have been personally guilty"—was adopted by Congress with no change, except the omission of the postponement of its operation until 1800, and the introduction of the clause for the restoration of fugitive slaves.

Some of the above particulars would not have been stated so fully but for a claim which has been made to the authorship of the ordinance on behalf of Nathan Dane, of Massachusetts. To show a misconception somewhere, and in a word, the groundless character of this claim, it is only necessary to state that Mr. Dane took his seat in Congress for the first time, on the 17th of November, 1785, more than eighteen months after the ordinance had been conceived and brought forth by its great author, and been adopted by Congress, with certain alterations, the principal one of which, on motion of Mr. King, had been in effect cancelled and the original provision restored nearly in the words of Mr. Jefferson, eight months before Mr. Dane took his seat in Congress. The Journals of Congress do not show that Mr. Dane had any particular part in forming the ordinance, beyond serving on two of the several committees to which it was referred. What he did on those committees, I have no means of knowing. He may have been active and instrumental in working into the ordinance his favorite

provisions about titles to property; and thus his phrase may be rendered intelligible, where he says that he had "formed it mainly from the laws of Massachusetts."

Having given this sketch of the origin and formation of the ordinance, I will now trace the history of its practical operation, to which I will add, the local opposition it encountered, and the general assent and sanction it received from Congress and from the Union.

To form a correct idea of what passed in relation to the ordinance, it is necessary to recall to mind the efforts made by France to encompass and restrict the western frontiers of the English Colonies, by establishing a cordon of forts with surrounding settlements connecting its colonies of Louisiana and Canada; and that France claimed and occupied much of the territory to the eastward of the Mississippi River, prior to 1763, when it was ceded to England; after which it formed parts of the English slave-holding colonies. When these facts are considered, it will not excite surprise that the inhabitants of the settlements, thus formed and governed, should have been favorable to the existence of slavery, as it was established by the French laws of Louisiana, and by the laws of the English Colonies to which the country east of the Mississippi River became attached by the cession of France in 1763. From the first settlement, therefore, by the white race, of the country northwest of the Ohio river, by the French at and in the vicinity of Kaskaskia, about the year 1682, and by a company of emigrants from Virginia about one hundred years subsequently, slavery had existed, and was as lawfully established as it had been under the laws of Louisiana or those of Virginia. It was the knowledge of this existence of slavery, and his known opinion in favor of a prospective rather than a sudden abolition, that induced Mr. Jefferson to use the phrase he did in the ordinance—"That after the year 1800 of the Christian era there shall be neither slavery nor involuntary servitude in any of the said States, &c." This provision recognized the existence of slavery, and contemplated the toleration of it in those States for sixteen years (he drew the ordinance in 1784), when it was to cease. From this it is clearly seen that the illustrious author of the ordinance intended it to abolish the then existing state of slavery, as well as to prohibit

its ever being tolerated in the country northwest of the Ohio River.

To these reasons for the existence then of negro slavery, may be added the fact of Virginia having granted land to many of her citizens who had served in the wars carried on against the Indians, and in this way having had opportunities of seeing the country to the northwest of the Ohio, and being pleased with it, they settled on the lands thus granted to them. In this way the first settlers, both of French and English descent, were from slaveholding colonies, and the laws of those colonies having been extended to, and being in full operation at the time of the adoption of the ordinance, it was to have been expected that its provision for the prohibition of slavery would not be popular with many of them. These feelings of disapprobation at once evinced themselves by the larger and more intelligent slaveholders removing across the river into Louisiana, and taking with them their slaves, to prevent their being emancipated by the Ordinance. The poorer and less intelligent masters, each owning but a very few slaves, being ignorant of the English language and laws, and being also cut off from a knowledge of passing events, by there being then no mails running to their remote settlements, continued to hold and to treat their late slaves as if the Ordinance had not emancipated them. This state of things continued for a long time, in consequence of the ignorance of the negroes of the English language and of the mode of obtaining their rights, and from the fear of punishment if they attempted it, and also, from the odium which attached to those who should aid them. To this should be added, that many of the officers in whose hands the law had placed the power, were themselves claimants of the negro services, and interested in continuing the then existing state of things. The long and extraordinary acquiescence in the continuance of the bondage of the French slaves (as they were called) encouraged those who can always find reasons for doing what will promote their own immediate interest, or what they like to do, to set up a right to the French negroes' services; some contending for it under the treaty of 1763, and some under the terms of cession from Virginia.

But it is useless to expose or dwell longer on the errors of these prejudiced and interested partisans. It is enough to confute

and silence them, to recite the facts that the highest judicial tribunals of individual States and of the Federal Government, have decided and put the question at rest, that slaves cannot be lawfully held in the country northwest of the Ohio River. At an early period, it was so decided by the Supreme Court of Indiana; afterwards, a similar decision was made by the Supreme Courts of Missouri and Illinois; and in 1831 these decisions were concurred in and confirmed by the highest judicial authority of the United States. A doubt can no longer exist, that such a decision would have been made at any, even the earliest period after the adoption of the ordinance, if the question had been brought before the judiciary. Of course, the continuance of the remnant of French slaves for so long a time in Illinois, arose from the fact of its being quietly acquiesced in, and not brought to the decision of the Courts of Justice. If the question had ever been brought before me, as Governor of the State, I would not have hesitated for a moment to decide, and, if necessary to have enforced the decision, that slavery did not legally exist in Illinois, and of course all held in service, as such, were entitled to their freedom. This opinion I expressed in my Inaugural Address, and in messages to the Legislature.

Although the ordinance, from neglect to enforce it, was not made available for a considerable time, as it respected the French negroes held in servitude, it went into immediate operation from its adoption, so far as to exclude the further introduction of slaves into Illinois. No slaves were brought by those who acquired military lands from Virginia, or who were induced by other considerations to emigrate to the northwestern territory, from a conviction that they would become free under the Ordinance. With the exception therefore of some hundreds of French negroes who remained in the country, and continued in bondage for a time in violation of the Ordinance, that instrument effected the object of its enlightened and benevolent author in excluding slave emigrants, and making a non-slaveholding State of Illinois, and of all the other States formed out of the northwestern territory.

In addition to the causes already stated for creating a prejudice against the provision of the Ordinance, prohibiting slavery, many persons, particularly in Indiana and Illinois, had their prejudices further increased by their contiguity to slave-holding

districts of country, and the opportunities furnished by this, as well as by the numerous emigrants who passed through them on their way to Missouri, to mingle and hear such representations as were calculated to dissatisfy them with the prohibitory clause in the Ordinance. To this must be added, as a further and more powerful influence, the fact that the high and influential territorial officers were from slaveholding States, and were not only the advocates, but exerted their potent influence to get the prohibitory clause repealed by Congress, if possible; if not, to get it so modified as to admit of the holding of slaves, at least for a limited time.

These various influences operated to create dissatisfaction, particularly with the partisans of the territorial officers, and such citizens as were interested in, or were under the influence of the former system of servitude, and of course of that class of men to be found everywhere, who delight in exercising the rights and privileges of masters. All these causes produced excitement, and had their effect in elections, and repeatedly showed themselves in the form of petitions from the people and the legislatures to Congress, asking a repeal or modification of the clause of the Ordinance prohibiting slavery. To these applications, Congress uniformly and decidedly refused its assent, and sustained the prohibitory clause of the Ordinance. As instances of this, I will state, that in March, 1803, the celebrated John Randolph, of Virginia, as chairman of a committee of the House of Representatives of Congress, to which one of these petitions was referred, asking the suspension of the provision in the ordinance prohibiting slavery, made a report against it, which was concurred in by the House. In this report the following strong and highly approbatory language is used in relation to the ordinance—"That the rapid population of the State of Ohio sufficiently evinced, in the opinion of your committee, that the labor of slaves is not necessary to promote the growth and settlement of colonies in that region: That this labor, demonstrably the dearest of any, can only be employed to advantage in the cultivation of products more valuable than any known to that quarter of the United States: That the committee deem it highly dangerous and inexpedient to impair a provision wisely calculated to promote the happiness and prosperity of the northwestern country, and to give strength and secur-

ity to that extensive frontier. In the salutary operation of this sagacious and benevolent restraint, it is believed that the inhabitants of Indiana will, at no distant day, find ample remuneration for a temporary privation of labor and of emigration."

In March, 1804, another report was made, on a similar application from Indiana, by a committee of the House, of which Mr. Rodney, of Delaware, was chairman, in which a suspension for ten years of the anti-slavery provision was recommended, on the condition that the descendents of all such slaves should, if males, be free at the age of 25 years, and, if females, at the age of 21 years. In this report the House refused to concur. In February, 1806, another report was made recommending a suspension for ten years, by a committee of which Mr. Garnett, of Virginia, was chairman, with a similar result—the non-concurrence of the House. In February, 1807, a committee of the House, of which Mr. Parke, Delegate from Indiana, was chairman, made still another report in favor of suspending the prohibitory clause for ten years, in which the House again refused to concur. By what majorities these disapproving votes were given, is not stated on the Journals of the House of Representatives. But in November, 1807, Mr. Franklin, of North Carolina, as chairman of a committee of the Senate of the United States, to which had been referred a petition from the Legislative Council and House of Representatives of Indiana Territory, and also a remonstrance against the same from the citizens of Clark County in said Territory, made a report against the suspension of the prohibitory clause of the ordinance, which was concurred in by the Senate without a dissenting voice.

In alluding to these proceedings of Congress, Senator Benton, in a speech he made in the Senate of the United States, on the 10th of June, 1850, said—"Thus five times in four years the respective Houses of Congress refused to admit even a temporary extension or rather re-extension of slavery into Indiana Territory, which had been, before the ordinance of 1787, a slave territory, holding many slaves at Vincennes. These five refusals to suspend the ordinance of '87 were so many confirmations of it. All the rest of the action of Congress on the subject, was to the same effect or stronger. The Missouri Compromise line was a curtailment of slave territory; the Texas annexation resolution was the same; the

Ordinance of '87 itself, so often confirmed by Congress, was a curtailment of slave territory—in fact its actual abolition; for it is certain that slavery existed in fact in the French settlement of the Illinois, at that time; and that the Ordinance terminated it. I act then," he said, "in conformity to the long uniformly established policy of Congress, as well as in conformity to my own principles, in refusing to vote for the extension of slavery."

These repeated refusals of Congress to abrogate or alter the clause prohibiting slavery, the most important of the great fundamental articles of compact, established by the Ordinance between the original States and those to be formed out of the Northwest Territory, induced its disappointed advocates in Indiana (then including Illinois), in the year 1807, to authorize by a law of the Territory the indenture of slaves over fifteen years of age, for a specified term of years. In many cases it was extended in practice to ninety-nine years, or for a term which was intended to include the life of the party indentured. As a slave is not competent by law to make an agreement or contract, he had first to be made free before he could enter into the indenture. But this was made a mere matter of form, being done simultaneously, and the master taking care that neither instrument should be valid until the other was executed. If a slave, after his master had signed his instrument of emancipation, and he was nominally free, should refuse to sign his indenture, the master had the right to send him out of the State, to sell him, and retain over him all his right as master. The indenture for a term equivalent to the duration of life, would not apparently change materially the condition of the slave; but it did so in this, that his condition is always better where there are but few slaves, as they are then more immediately under the care and protection of their masters. But above all the hearts of parents, who are indentured, find an inexpressible pleasure and a consoling comfort from the knowledge of the fact that their children will be free; males at thirty, and females at twenty-eight years of age, the time fixed by the Indiana law authorizing indentures.

It may be well to add—as an incident worth mentioning, particularly as showing the opinion and feeling that had their influence in bringing it about—the preamble to an act passed by

the Legislature of Illinois to repeal this law of indenture, which repealing act was vetoed by the Territorial Governor; in this it is stated that, "whereas the act of the Legislature of this Territory, passed the 17th of September, 1807, is intended to introduce and tolerate slavery, under the pretence of voluntary servitude, in contravention of the paramount law of the land; and whereas such a system is calculated, in its operation, not only to prejudice the interest of individuals, but also, to introduce a host of people of color, who in time will become free, and at an age when they are unable to support themselves. The territory consequently cannot be benefited by such a system, the adoption of which is contrary to the Ordinance, and the feelings and wishes of the people of this territory."

The same party, with the same views which led them, as described above, to countenance the continuance of the French servitude; to petition Congress to allow them to introduce and hold other slaves; and to authorize the introduction of negroes under indentures, induced them to pass a law authorizing the hiring of slaves from other States to labor at the salt works near Shawneetown. It is needless to say that all these acts were a violation, in form as well as in spirit, of the Ordinance of 1787.

It is proper I should add, that the foregoing remarks have reference to that part of the Northwest Territory which is now included in the States of Indiana and Illinois. Although Virginia granted to her citizens more land for military services in the country now embraced by the State of Ohio, than in any other part of the Territory which she ceded in 1784 to the United States, yet there being in the bounds of that State no such French population, possessed of slaves, but on the contrary its first settlers consisted chiefly of associations of citizens from non-slave holding States, who held large tracts of land, containing altogether many hundreds of thousands of acres, of which the principal were—"the Connecticut western reserve," bordering on Lake Erie; "the Ohio land company," composed of citizens from the New England States, for land on the Ohio and Muskingum Rivers; and "Symmes and his associates" of New Jersey, for land on the Rivers Ohio and the Miamis. These and other differences, which have been pointed out, in the origin and character of the first settlers of the east and

west portion of the Northwest Territory, will explain the opposite feelings and opinions entertained by them, in relation to the clause of the Ordinance prohibiting slavery. We have seen the conduct of Indiana and Illinois—that of Ohio both as a Territory and as a State, showed that she differed from them, and approved of the Ordinance in all its parts. To this it should be added that Michigan and Wisconsin, the remaining portions of the Northwest Territory, whose settlers having also chiefly emigrated from non-slave holding communities, both native and foreign, have concurred with Ohio in approving the Ordinance. Iowa, too, having from infancy grown up under the Ordinance, which had been extended over her by the "Missouri Compromise," and California, where slavery had been inhibited by the Spaniards before we acquired it, both of these States on coming into the Union complimented the Ordinance by adopting its peculiar language, and inscribing it in their constitution—"That neither slavery nor involuntary servitude, unless for punishment of crimes, shall ever be tolerated in these States."

After the division of Indiana into two territorial governments, which took place in 1809, the eastern or Indiana part, not being as much under the influence of the pro-slavery proclivities as the western or Illinois portion, the contests in the former became less violent. This continued to diminish with the increase of population, which came chiefly from Ohio and the Northern States, until two or three years before Indiana became a State (in 1816), when the last great struggle took place, in which, although the territorial officers took an active part in favor of the advocates of slavery, the result was so decisive and overwhelming, in favor of the anti-slavery party, as to have the effect of putting down the supporters of slavery, and an end to the slavery question in Indiana. In effecting this, the most prominent and influential man was Jonathan Jennings, who served as a Delegate in Congress, and afterwards as Governor of the State.

In Illinois, which was separated from Indiana, and organized first as a Territorial Government in 1809, and then as a State Government, and was admitted into the Union in 1818, the strife was continued with more or less violence. It was strongly displayed in the election of the convention to form a constitution for

the new State, when an effort was made before the people, and a still greater one, in the Convention, to authorize the toleration of slavery in the State. In this its advocates failed, but not despairing of ultimate success, they continued their efforts until 1822, when it was made the controlling question in the election of that year. And although I, the anti-slavery candidate, was elected Governor, the Legislature wanted but one member to have a majority of two-thirds in each House, in favor of submitting the question to the people whether there should be a convention called for altering the constitution; this one member was obtained in what I consider an unprecedented manner. Thus the question was submitted to the people under the influence of a two-thirds vote of the Legislature. Under the provisions of the constitution of 1818, when two-thirds of the members of each House of the Legislature should submit the question to the people, if a majority of the voters at the next election should be in favor of it, a convention was to be called to revise the constitution.

The introduction of slavery was not openly avowed by all the advocates of a convention, as the object in view, but it was well known to be so, and not denied by many, though there were certainly other objections to the constitution of 1818, which had their influence in increasing the desire for a convention to alter it. When this question came before the people, it produced peculiarly intense excitement always attendant on the agitation of the question of the extension of slavery; and which in this case was increased by the manner in which it had passed the Legislature; and the advantage intended to be taken of a temporary inequality in the representation, whereby portions of the State favorable to slavery would have a greater influence in the convention than they were justly entitled to. Having been placed in the lead, by the station assigned me, and my opinions and feelings being so warmly opposed to slavery as to make me leave my native state (Virginia), I soon placed my pen and exertions in requisition, and brought them to bear, doing all I could, personally and officially, to enlighten the people of Illinois, and prevent their making it a slave holding State. I trust I shall meet with indulgence from the zeal I have always felt in the cause, for adding, that it has ever since afforded me the most delightful and consoling reflections, that the abuse

I endured, the labor I performed, and the anxiety I felt, were not without their reward: and to have it conceded by opponents as well as supporters, that I was chiefly instrumental in preventing a call of a convention, and making Illinois a slave holding State. We were sustained by a majority of about 1600 votes of the people, at the general election in August, 1824; and thus terminated the last struggle, the last effort of the slave party, to defeat the wise and philanthropic purposes of the Ordinance of 1787.

It would not be doing justice to the Ordinance, nor would what has been written deserve the name of a hasty sketch of its history, were I to omit to add some of the repeated and unprecedented sanctions it has received from Congress and the American people. We have seen it was the offspring of the greatest statesman of our country; and no one can fail to see in it the kindred political features of its elder brother, the Declaration of American Independence. It has been shown with what extraordinary unanimity it passed the old Congress—but one member voting against it; nor was his particular objection to the Ordinance known. He had been serving in the convention in Philadelphia from its commencement, and had left it not only in despair but in disgust, and he reached New York, and took his seat in Congress just in time to give his solitary vote against the Ordinance. But from his political character, and being a northern man (Mr. Yates, of the State of New York), it is not unreasonable to suppose, that it did not arise from any objection he had to the anti-slavery provision. On the contrary, it would be fair to presume, that the clause, added before its final passage, for the restitution of fugitive slaves, which rendered the Ordinance the more acceptable to the ultra slavery partisans of South Carolina and Georgia, may have made Mr. Yates vote against it.

This brings to my recollection what I was told by Mr. Madison and which I do not remember ever to have seen in print. The Old Congress held its sessions, in 1787, in New York, while at the same time the convention which framed the constitution of the United States held its sessions in Philadelphia. Many individuals were members of both bodies, and thus were enabled to know what was passing in each—both sitting with closed doors in the secret sessions. The distracting question of slavery was agitating and

retarding the labors of both, and led to conferences and intercommunications of the members, which resulted in a compromise by which the northern or anti-slavery portion of the country agreed to incorporate, into the Ordinance and Constitution, the provision to restore fugitive slaves; and this mutual and concurrent action was the cause of the similarity of the provision contained in both, and had its influence, in creating the great unanimity by which the Ordinance passed, and also in making the constitution the more acceptable to the slave holders.

Among the first laws passed by the first Congress and approved by President Washington, August 7th, 1789, was one to adapt the Ordinance to the new constitution of the United States. It thus received the sanction of Congress under the present constitution, as it had previously done of the Old Congress under the Articles of Confederation.

The 7th Congress passed an act, which was approved by President Jefferson, April 30, 1802, authorizing Ohio to form a State constitution and for her admission into the Union; "Provided the same shall be republican, and not repugnant to the Ordinance of the 13th of July, 1787, between the original States, and the people and States of the territory northwest of the River Ohio." This was the first of the States, trained during its minority under the government of the Ordinance, which was admitted at maturity into the Union; and no doubt its author felt a peculiar pleasure at being then President of the United States, and having it in his power to use his influence in shaping the terms of her admission, so as to carry out, and perpetuate, his original purpose in making permanent the great fundamental provisions of the Ordinance, by extending them to the States, as well as to the Territories, to be formed out of the Northwestern Territory.

On the 19th of April, 1816, the 14th Congress passed an act authorizing Indiana to form a State constitution, and for her admission into the Union; and on the 18th of April, 1818, the 15th Congress passed a similar law, for the admission of Illinois. Both of these acts were approved by President Madison, and both contained similar provisos— that their constitutions when formed should be "republican, and not repugnant to the Ordinance of July 13, 1787."

The 16th Congress passed an act, commonly known as the Missouri Compromise, authorizing the people of Missouri to form a constitution and State government "and to prohibit slavery in certain territories," approved by President Monroe, March 6, 1820, in which it is provided "That in all that territory ceded by France to the United States, under the name of Louisiana,which lies north of 36° 30′ north latitude not included within the limits of the State contemplated by this act, slavery and involuntary servitude, otherwise than in punishment of crimes, whereof the parties shall have been duly convicted, shall be, and is hereby forever prohibited: Provided always, that any person escaping into the same from whom labor or service is lawfully claimed in any State or Territory of the United States, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labor or service as aforesaid." This act, by using language so similar to that contained in the Ordinance, recognizes and sanctions its provisions in relation to slavery, and extends them to all the territory owned by the United States west of the River Mississippi and north of 36° 30′, except the State of Missouri.

By the joint Resolution annexing Texas to the United States, passed by the 28th Congress, and approved by President Tyler, March 1st, 1845, it is stipulated, that such States as may be formed out of that portion of said territory lying south of 36° 30′ north latitude, commonly known as the Missouri Compromise line, shall be admitted into the Union with, or without slavery, as the people of each State, asking admission, may desire: And in such State or States as shall be formed out of said territory, north of said Missouri Compromise line, slavery or involuntary servitude (except for crimes) shall be prohibited."

The act passed by the 30th Congress, and approved by President Polk, August 14, 1848, to establish a territorial government for Oregon, provides "That the inhabitants of said Territory shall be entitled to enjoy all and singular the rights, privileges, and advantages granted and secured to the people of the Territory of the United States, northwest of the River Ohio, by the articles of compact, contained in the ordinance for the government of said Territory, on the 13th day of July, 1787, and shall be subject to all the conditions and restrictions and prohibitions in said articles

of compact imposed upon the people of said Territory." It cannot escape notice, that this, the last of the many acts of Congress approbatory and confirmatory of the Ordinance, should be most complimentary of it. The language used represents the Ordinance as a boon by which the people of Oregon became entitled to enjoy all the rights, privileges and advantages which that measure granted and secured to the people of the Northwestern Territory.

This statement shows that between 1787 and 1854, when the Missouri compromise was repealed, a period of sixty-seven years, eight different Congresses passed, and six different individuals acting as Presidents of the United States, viz: Washington, Jefferson, Madison, Monroe, Tyler, and Polk, approved eight laws of the United States, enacting and re-enacting, sanctioning and confirming and extending, as well in length of time, as extent of space, the ordinance of 1787. Yes—all sections of our extensive and diversified country, and all the numerous parties into which our people have been divided since our confederation was formed, have given to it their approbation and sanction, and that also to a measure involving interests, of all others, the most exciting, and on which there has even been the greatest and most angry diversity of opinions. It is believed that no similar measure ever received such signal and repeated proofs of the approbation of the people, as this Ordinance has done. To those, who will trace the history of this question, it will appear marvellous, and show the profound wisdom of those who framed such an efficacious measure for our country. Contrast these evidences of approbation of the Ordinance, with those given to the Constitution of the United States, and it will result greatly in favor of the former. It will show, if unanimity of opinion and repetition of legislative action can give weight, that the Ordinance is entitled to even more than the Constitution, which encountered much opposition in the national convention that made it, in which it received the signatures or votes of but thirty-nine out of fifty-five members who attended the convention, and was ratified by small majorities in many of the State conventions.

To a cool and dispassionate observer, who has a knowledge of the enlightened origin, the great popularity, and beneficial effects of the ordinance, it seems to be incredible that it should

have been repealed; and especially denounced as violating the great principles on which our Government is founded. Yet such has been the fact, and what adds to the astonishment is, that this has been done by men professing to be of the Jefferson school of politics. The inconsistency is truly mortifying to those who believe, as well in the capacity of man to govern himself, as in the wisdom and suitability of our political institutions to promote, above all others, his happiness.

In conclusion I will say, the wisdom, expediency, and salutary practical effects of the Ordinance, could not be more clearly shown than by contrasting its operations with those of its substitute. Under the ordinance from 1787 to 1854, the Territories subject to it were quiet, happy, and prosperous. Since its principles were repudiated, in 1854, we have had nothing but contention, riots, and threats, if not the awful realities of civil war, which painful state of things has been brought about by the substitution of the legislation of 1854 for that of 1787, long consecrated as it had been by time, and by the approbation of the greatest and best men of our country.



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